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JOURNAL  
OF THE  
INDIANA STATE SENATE

DURING THE  
Sixtieth Session

OF THE  
GENERAL ASSEMBLY,

COMMENCING

Thursday, January 7, 1897.

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REGULAR SESSION.

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INDIANAPOLIS:  
WM. B. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING.  
1897.





# JOURNAL

... OF THE ...

## Senate of the State of Indiana.

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THURSDAY MORNING.

JANUARY 7, 1897.

This being the day prescribed by the Constitution of the State of Indiana (Art. IV., Sec. 9) for the meeting of the General Assembly, the Senators holding over and Senators-elect met in the city of Indianapolis, in the Senate Chamber, in the State Capitol Building, at 10 o'clock A. M.

Lieutenant-Governor Mortimer H. Nye, President of the Senate, called the Senate to order.

After which the Senate was led in prayer by the Rt. Rev. John Hazen White.

Twenty-four Senators elected in 1894 for the constitutional term of four years appeared and answered to their names, as follows, Auditor of State, Americus C. Daily, calling the roll of Senators:

From Ripley, Franklin and Union, Francis M. Alexander.

From Knox and Pike, William J. Bethell.

From Gibson and Posey, Virgil P. Bozeman.

From Cass, Marcus W. Collett.

From Bartholomew, Brown and Monroe, Henry C. Duncan.

From Allen, Thomas E. Ellison.

From Lake and Porter, William H. Gostlin.

From St. Joseph and Starke, Christian Holler.

From Daviess and Martin, Hileary Q. Houghton.

From Greene and Sullivan, Andrew Humphreys.

From Dearborn, Ohio and Switzerland, Columbus Johnson.

From Parke and Vermillion, William F. Kerns.

From Adams, Jay and Blackford, Jesse J. M. LaFollette.

From Morgau and Johnson, William E. McCord.

From Hancock and Rush, Thomas K. Mull.

From Howard and Miami, James O'Brien.

From Benton, Jasper and Newton, Isaac H. Phares.

From Huntington and Wells, John W. Rinear.

From Jackson and Lawrence, Louis Schneck.

From Harrison, Crawford and Orange, George W. Self.

From Wayne, Charles E. Shiveley.

From Perry and Dubois, Michael A. Sweeney.

From Jefferson and Clark, Ward H. Watson.

From Warrick and Spencer, John T. White, Sr.

Twenty-six Senators elected in November, 1896, came forward as their districts were called, and, standing in front of the Secretary's desk, took the oath of office as administered by the Hon. L. J. Hackney, Judge of the Supreme Court of the State of Indiana, in the following order:

From Delaware and Randolph, Walter L. Ball.

From Allen and Whitley, Louis J. Bobilya.

From Clinton, Boone and Montgomery, James A. Campbell.

From Marshall and Fulton, Chas. P. Drummond.

From Vigo, Jacob D. Early.

From Kosciusko and Wabash, Joseph C. Gochenour.

From Steuben and Lagrange, Newton W. Gilbert.

From Boone, Clinton and Montgomery, William B. Gill.

From Tipton and Hamilton, C. S. Goar.

From Fountain and Warren, Fremont Goodwine.

From Porter and Lake, W. H. Gostlin.

From Clay and Owen, Frank A. Horner.

From Hendricks and Putnam, Enoch G. Hogate.

From Elkhart, O. Z. Hubbell.

From Marion, Shelby and Hancock, R. O. Hawkins.

From Marion, Martin M. Hugg.

From Grant and Madison, Lafayette Johnson.

From Vanderburgh, August Leich.

From Dekalb and Noble, William H. Nusbaum.

From Marion, Harry S. New.

From Carroll, Pulaski and White, Thomas O'Connor.

From Floyd and Washington, W. E. Patton.

From Laporte, G. W. Rogers.

From Clark, Jennings and Scott, Jos. H. Shea.

From Decatur and Shelby, Everett E. Stroup.

From Tippecanoe, Will R. Wood,

Who was elected to fill the unexpired term of W. S. Haggard, Lieutenant-Governor, and formerly Senator from Tippecanoe County.

Upon motion of Senator Shiveley, the Senate adjourned to meet at 2 o'clock.

Senate convened at 2 p. m. pursuant to adjournment.

Senator Hubble of Elkhart offered the following resolution:

*Resolved*, That this Senate proceed at once to elect a President *pro tem.*, a Door Keeper, a Secretary and an Assistant Secretary of the Senate in the order herein named.

Which resolution was declared out of order by the President of the Senate.

The President of the Senate announced that the Senate was ready to proceed to the election of officers.

Senator New, of Marion County, presented the name of Charles R. Lane, of Marion County, for the office of Principal Secretary of the Senate.

Senator Sweeney, of Dubois and Perry, presented the name of Howell C. Rockhill, of Allen County, for the office of Principal Secretary of the Senate.

The roll being called by the Auditor of State, Americus C. Daly.

Those voting for Mr. Lane were:

Senators Ball, Bethell, Bozeman, Collett, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, White, Wood. Total, 31.

Those voting for Mr. Rockhill were:

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Johnson of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Rogers, Shea, Stroup, Sweeney. Total, 17.

Mr. Lane having received a majority of all the votes cast, was declared duly elected Principal Secretary of the Senate.

Senator Gochenour, of Kosciusko and Wabash, presented the name of James W. Agnew, of Wabash County, for the office of Assistant Secretary of the Senate.

Senator Sweeney, of Dubois and Perry, presented the name of Edward Mullen, of Perry County, for the office of Assistant Secretary of the Senate.

The roll being called by Auditor of State Daly.

Those voting for Mr. Egnew were:

Senators Ball, Bethell, Bozeman, Collett, Duncan, Early, Gochenour, Gilbert, Goar, Goodwine, Gostlin, Hawkins, Hogate,

Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 32.

Those voting for Mr. Mullen were :

Senators Alexander, Bobilya, Campbell, Drummond, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Rogers, Stroup, Sweeney, Ellison. Total, 15.

Mr. Egnew having received a majority of all the votes cast, was declared duly elected Assistant Secretary of the Senate.

Senator McCord presented the name of Clamor Pelzer, of Warrick County, for Doorkeeper.

Senator Campbell placed Mr. J. L. Hullett in nomination for Doorkeeper.

Those voting for Mr. Pelzer were :

Senators Ball, Bethell, Bozeman, Collett, Duncan, Early, Gilbert, Gear, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 32.

Those voting for Mr. Hullett were :

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Humphreys, Johnston of Dearborn, Nusbaum, Patten, Rinear, Rogers, Shea, Stroup, Sweeney. Total, 15.

Mr. Pelzer, having received a majority of all the votes cast, was declared duly elected Doorkeeper of the Senate.

The oath of office was then administered to Charles R. Lane, Principal Secretary; James W. Egnew, Assistant Secretary, and Clamor Pelzer, Doorkeeper, by Judge L. J. Hackney, of the Indiana Supreme Court.

The following resolution was presented by Senator Shiveley, of Wayne County :

*Resolved*, That the rules of the last Senate of Indiana be in force until the report of the Committee on Rules is received and adopted.

. Which resolution was adopted.



The following resolution was presented by Senator Phares:

*Resolved*, That there be appointed by the presiding officer of the Senate a committee of three, to act in connection with a like committee of the House, to wait upon the Governor and notify him of the organization of both houses of the General Assembly, and that they are ready for the transaction of public business.

Which was adopted, and Senators Shiveley, Phares and Drummond were named as said committee.

Senator Newby moved to proceed to elect a President *pro tem*.

Which motion was declared out of order by the President.

Senator Newby appealed from the decision of the President, which appeal was supported by Senator Houghton.

The question being, "Shall the decision of the Chair stand as the decision of the Senate?"

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Johnson of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Rogers, Shea, Stroup, Sweeney, Watson. Total, 18.

Those voting in the negative were:

Senators Ball, Bethell, Bozeman, Collett, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Phares, Schneck, Self, Shiveley, White, Wood. Total, 31.

The appeal from the decision of the Chair being sustained, the question recurred upon Senator Newby's motion.

Senator LaFollette presented the name of Senator Shiveley of Wayne.

Senator Sweeney presented the name of Senator Humphreys of Greene and Sullivan.

Those voting for Mr. Shiveley were :

Senators Ball, Bethell, Bozeman, Collett, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Watson, White, Wood. Total 32.

Those voting for Mr. Humphreys were :

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Johnson of Dearborn, Nusbaum, O'Conner, Patten, Rinear, Rogers, Shea, Stroup, Sweeney. Total, 16.

Senators Shiveley and Humphreys being paired.

Senator Shiveley having received a majority of all the votes cast was declared duly elected President *pro tem.* of the Senate.

Senator Newby introduced the following complaint on contest of the seat of G. W. Rogers, by Uriah Culbert :

*To the Senate of the State of Indiana :*

The undersigned represents to your honorable body that in the election of the year of 1896, which occurred on the 3d of November, 1896, he was a candidate of the Republican party for State Senator from the county of Laporte, in the State of Indiana, and was upon the ticket as a duly certified candidate at such time. He avers that after such election and after the canvassing of such vote, his opponent, one George Rogers, was declared elected to such office, but that this contestant, Uriah Culbert, hereby contests said election and protests and objects to the awarding of such seat to said Rogers, because of the fact that upon a fair vote and fair count of legal votes of said Laporte County, said Rogers was not elected, but that this contestant was duly elected a Senator of the State of Indiana, in and for said county of Laporte at said election.

He therefore contests the right of the seat, the right of which has been certified to as belonging to said Rogers, and prays that upon investigation said seat be awarded to this contestant for the following reasons to wit :

*First.* Because said Rogers is ineligible and incapable to hold said office in such Senate for the reason that he and divers persons working for him in his behalf violated the election laws of the State of Indiana in various and divers ways, to wit:

a. That the Captain of the Salvation Army at Michigan City, Indiana, and divers other persons who were and are Republicans and intended to vote at said election for this contestant for the office of State Senator, were in divers ways intimidated by democrats for and on behalf of and in the interest of the said Rogers, and by reason of said intimidation said persons failed to vote at said election.

b. That the election board in the several townships and precincts in the county of Laporte in canvassing and counting the votes cast at said election counted a large number, to wit, fifty ballots for all the Democratic nominees on the Democratic county ticket in said county when in fact said ballots were stamped in the square in front of the name of Martin T. Kruger thereon and in no other place upon said ticket and that thereby said ballots and votes were all counted for the said Rogers when in fact none of said tickets and ballots should have been counted for him.

c. That in each and all the precincts of said county of Laporte a large number of persons, to wit: fifty persons were permitted to vote for the said Rogers who were not legally entitled to vote in said several precincts in said county by reason of the fact that they had not been *bona fide* residents therein during the time as required by law.

d. That the polls were not opened in the centre precinct of Center Township, in Laporte County, until 8 o'clock A. M. of the day of election, and that by reason of the failure to open the polls therein at 6 o'clock, as required by law, a large number of persons who desired to vote for this contestant for the office of State Senator failed to vote therein. That all of said persons were *bona fide* residents of said precinct, and entitled to vote therein.

e. That the polls were not opened in the first precinct of the Fifth Ward, in Michigan City, in said county of Laporte, until

6:30 A. M. of the day of election. That divers legal and qualified voters in said precinct, who desired to vote for this contestant for the office of State Senator at said election, failed to vote therein, by reason of the fact that they were employes of railroad companies, and were compelled to go to their work before the polls were opened. That if the polls therein had been opened at 6 o'clock A. M., as required by law, all of said persons could and would have voted therein for the contestant.

*f.* That in one of the precincts of said county that gave a majority of 22 on the face of the returns for the said Rogers for the office of State Senator, and were counted for him by the County Canvassing Board, that the clerks and other members of the Election Board in said precinct failed to certify to the correctness of the returns from said precinct, as required by law.

*Second.* That there were a large number of persons, to wit: 50 persons, who voted for the said George Rogers in the various precincts of said county who had not resided in the State of Indiana for six months immediately prior to said election.

*Third.* That there were a large number of persons, to wit: 50 persons, who voted for the said George Rogers in the several precinct in the said county who had not resided in said precinct where they voted for thirty days immediately prior to said election.

*Fourth.* That there were a large number of persons, to wit: 50 persons, who were permitted to and did vote for the said George Rogers for Senator in the several precincts in said county who had not resided in the township wherein they voted for sixty days immediately prior to said election.

*Fifth.* That there were a large number of persons, to wit: 50 persons, who were minors and under the age of 21 years, who voted in the several precincts of said county for the said George Rogers for Senator of and from said county.

*Sixth.* That there were many other and divers gross irregularities, and as he believes frauds, perpetrated which resulted in depriving this contestant of a fair election.

*Seventh.* Your contestant further avers that he is now and has been continuously for the last twenty years a bona fide resident of Michigan City in the county of Laporte and State of

Indiana. That he was a legal voter therein and entitled to vote in the third precinct in the first ward in Michigan City in said county at said election held on the third day of November, 1896, as aforesaid.

URIAH CULBERT.

Which was referred to the Committee on Elections.

The roll was called for the introduction of petitions, memorials and remonstrances, but no responses were made.

The following resolution was introduced by Senator Shiveley :

*Resolved*, That there be appointed a committee of three members on the part of the Senate to act with a like committee on the part of the House to prepare joint rules for the two houses, and that the House be notified.

Which resolution was adopted.

Senator Shiveley moved to appoint a committee to notify the House that the Senate was now regularly organized, with Charles R. Lane Principal Secretary and James W. Egnew Assistant Secretary, Clamon Pelzer Doorkeeper. Which motion was carried.

Senators Shiveley, Mull and Drummond were named as said committee.

The Lieutenant Governor then announced the following committees to notify the Governor that the Senate was regularly organized :

Senators Phares, Hogate and Rogers, Committee on Joint Rules—Senators Newby, Gilbert and Alexander.

The Lieutenant-Governor then announced the appointment of the following pages :

D. V. Smythe, Leo Lefkovitski, and Willie Ford, the latter by request of Lieutenant-Governor Haggard.

Senator Houghton moved to adjourn to meet at 10 o'clock to-morrow morning.

Which motion prevailed.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## FRIDAY MORNING.

JANUARY 8, 1897.

The Senate was called to order at 10 o'clock by Lieutenant-Governor Nye.

Reading of the Journal of the previous day was ordered.

Senator Watson moved to dispense with the reading of the Journal.

The Lieutenant-Governor presented the following communication:

*To the Senate:*

Under the resolution adopted at the last session of the Senate, directing the Lieutenant-Governor to appoint a special committee on prisons, I appointed Senators Holler, Duncan and Ellison, and they will present their report at the present session of the Senate.

MORTIMER NYE.

The roll of Senators was called for presentation of petitions, memorials and remonstrances.

Senator Alexander introduced the following Senate Resolution No. 2:

"I move that the Chair appoint a committee of three members on mileage."

Motion adopted, and Lieutenant-Governor appointed the following members to constitute said committee:

Senators Alexander, Mull and Hawkins.

Senator Hogate introduced the following Senate Resolution No. 3:

*Resolved*, That the Committee on Rules be instructed to so amend the rules of the Senate as to provide for a standing committee to be known as the Committee on Building and Loan Associations, to which committee shall be referred all



bills, petitions, memorials and grievances relating to Building and Loan Associations.

Said resolution referred to Committee on Rules.

Senator Rinear presented a petition entitled :

A petition to so change existing law concerning the care and cleaning of ditches constructed and running in more than one county, that the control of such ditches as to cleaning and repairs shall be transferred from County Surveyors to Township Trustees.

Which was referred to Committee on Ditches and Drainage.

The papers referring to the contest of Uriah Culbert vs. G. W. Rogers, Senator from Laporte County, were referred by Lieutenant-Governor to Committee on Elections.

Senator Shiveley, by request, presented a petition entitled "A petition for an appropriation by the State of Indiana to aid in the improvement of the Kankakee River."

Said petition referred to Committee on Ditches and Drains.

Senator Shiveley presented a petition entitled a petition to prevent the hunting of quails in the State of Indiana, signed by divers persons.

Said petition was referred to Committee on Judiciary.

Senator Shiveley presented a second petition, signed by divers persons, to prevent hunting quails.

Said petition referred to Committee on Judiciary.

The following resolution was introduced by Senator Watson :

*Resolved*, That the Secretary and Assistant Secretary of the Senate shall make requisition upon the Bureau of Printing, Binding and Stationery for all supplies ordered or needed for their respective offices of the Senate, and any printing, binding or stationery procured elsewhere is unauthorized and hereby prohibited.

Which resolution was adopted.

A calling of the roll for the introduction of bills was ordered by the President of the Senate.

Senator Bethell introduced Senate Bill No. 1, entitled :

An act fixing the times of holding court in the Fifty-Seventh Judicial Circuit, composed of the counties of Dubois and Pike.

Read the first time and referred to Committee on Organization of Courts.

Senator Bobilya introduced Senate Bill No. 2:

A bill for an act making it unlawful to use for the purpose of testing or determining the weight, grade, milling or market value of wheat, any measure other than the standard half bushel measure furnished this State by the United States, and making it unlawful to use any other than a straight stick with the edges rounded for leveling the wheat in said half bushel measure.

Which was read a first time and referred to Committee on Cities and Towns.

Mr. Bozeman introduced :

A bill for an act fixing the \_\_\_\_\_ a of Circuit Court in the Eleventh ,

Which was read first time and referred to Committee on Organization of Courts.

Senator Collett introduced Senate Bill No. 4:

A bill for an act regulating and prescribing the manner of procedure of County Commissioners in the construction and repairs of bridges, the cost thereof being paid from the proceeds of taxation.

Read first time and referred to Committee on County and Township Business.

Senator Early introduced Senate Bill No. 5, entitled :

A bill for an act to regulate the arrest and surrender of fugitives from justice from other States and Territories, etc.

Read first time and referred to Committee on Judiciary.

Senator Ellison introduced Senate Bill No. 6, entitled :

A bill for an act to authorize Boards of County Commissioners of counties where the plans and specifications for the construction of court houses were adopted and such construction was determined upon according to such plans and specifications prior to the twelfth day of January, 1897, to issue and sell bonds not exceeding one and one-fourth per centum on the assessed valuation of the taxable property of said counties for the purpose of raising funds to construct such court house, and providing for the manner of receiving bids and letting contracts for such court houses, and declaring an emergency.

The bill was read the first time.

Senator Ellison moved the suspension of constitutional rules, that the bill be read a second time by title and be placed on its passage.

The question being on the suspension of the rules.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, McCord, Mull, New, Nusbaum, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood.  
Total, 45.

Those voting in the negative were :

Senators Humphreys, Leich. Total, 2.

So the constitutional rule was suspended, the bill read a second time by title and considered engrossed, read a third time and placed upon its passage.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Connor, Patten, Phares,

Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White and Wood. Total, 49.

None voting in the negative.

So the bill was passed, the question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gostlin introduced Senate Bill No. 7, entitled:

A bill for an act authorizing Township Trustees to make additional road tax levies for the purpose of liquidating and discharging the road indebtedness of their respective townships in certain cases.

The bill was read first time and referred to Committee on County and Township Business.

The committee consisting of Phares, Hogate and Rogers that was appointed to notify the Governor that the Senate was duly organized and ready for the transaction of business, submitted the following, which was adopted:

MR. PRESIDENT:

Your committee appointed to notify the Governor that the Senate was duly organized for the transaction of public business, would respectfully report that with a committee from the House we called upon His Excellency Governor Matthews, who indicated that if satisfactory to both houses he would be pleased to meet the General Assembly to-day, January 8, at the hour of 11 o'clock A. M.

Senator Hogate introduced Senate Bill No. 8, entitled:

A bill for an act to amend section 2031, R. S. 1881.

Read first time and referred to Committee on Judiciary.

Senator Houghton introduced Senate Bill No. 9, entitled:

A bill for an act to amend section seventy-two (72), one hundred and twenty-six (126) and one hundred and twenty-nine (129), of an act entitled "An act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of

officers therein named, providing for certain employes in certain public offices, and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be misdemeanors and prescribing penalties therefore, providing the time when the same shall take effect as to certain offices therein named, and repealing all conflicting laws," approved March 11, 1895, and declaring an emergency.

Read first time, and referred to Committee on Fees and Salaries.

Senator Houghton introduced Senate Bill No. 10, entitled:

A bill for an act concerning the widening of public highways along section, half-section, quarter-section, donation and location lines, and providing for the removal of buildings therefrom, and declaring an emergency, which was read first time and referred to Committee on Roads.

Senator Houghton introduced Senate Bill No. 11, entitled:

A bill for an act to amend section 1 of an act entitled "An act to amend section 85 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881, and declaring an emergency," approved March 7, 1891, being section 2076 of Burns' revision of statutes, 1894.

Read first time and referred to Committee on Judiciary.

Senator Houghton introduced Senate Bill No. 12, entitled:

A bill for an act entitled "An act to amend section 1 of an act entitled an act prescribing certain duties of railroad companies, and requiring such companies to sound whistles on all locomotive engines at the crossing of any turnpike, or other public highway, prescribing penalties and punishments for violations thereof, and repealing all laws in conflict therewith, approved April 8, 1881," and declaring an emergency.

Read first time and referred to the Committee on Railroads.

Senator Hubbell introduced Senate Bill No. 13, entitled :

A bill for an act to amend section 3 of an act to provide for the incorporation of street railroad companies, same being section 4145 of Revised Statutes, 1881.

Read first time and referred to Committee on Cities and Towns.

Senator Hubbell introduced Senate Bill No. 14, entitled :

An act defining the Thirty-fourth and Thirty-fifth Judicial Circuits of the State of Indiana, fixing the time of holding courts in said circuits, prescribing the length of terms thereof, providing for the return of process therein, and repealing all laws in conflict therewith.

Read first time and referred to Committee on Organization of Courts.

Senator Johnston, of Dearborn, Ohio and Switzerland, introduced Senate Bill No. 15, entitled :

A bill for an act entitled "An act to amend section 62 of an act concerning proceedings in criminal causes," approved April 19, 1881, Acts of 1881, page 1261, and being designated as section 1635 in the Revised Statutes of 1881, and fixing the number of jurors and their qualifications in the trial of all misdemeanors before Justices of the Peace, and providing when said Justices may try such causes.

Read first time and referred to Committee on Judiciary.

Senator LaFollette introduced Senate Bill No. 16, which was entitled as follows :

A bill for an act defining the Twenty-sixth Judicial Circuit, fixing the time for holding court therein, providing for the appointment of Judge and Prosecuting Attorney, and otherwise regulating the manner of holding courts therein, and declaring emergencies.

Read first time and referred to Committee on Organization of Courts.



Senator Leich introduced the following Senate Bill No. 17, entitled :

A bill for an act to amend section 115 of an act entitled "An act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of the officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers, and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor, and prescribing penalties therefor, providing the time when the same shall take effect as to certain offices therein named and repealing all conflicting laws."

Read first time and referred to the Committee on Fees and Salaries.

Senator O'Brien introduced Senate Bill No. 18, entitled :

An act to amend section thirty-seven and to repeal section seventy-five of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time for holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of Judges and Prosecuting Attorneys in certain cases," approved March 6, 1873, and to create the Fifty-eighth Judicial Circuit, and fixing the time of holding courts in the Thirty-sixth Judicial Circuit, and in the Fifty-eighth Judicial Circuit, and providing for the appointment and election of a Judge and Prosecuting Attorney thereof, and providing for their compensation and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator O'Brien introduced Senate Bill No. 19, entitled :

A bill for an act declaring what are partition fences, and providing for the building and repair and maintenance of such fences, and conferring jurisdiction upon Township Trustees in the matter of partition fences in cases therein specified, and providing for liens for making, maintaining and repair of partition fences, and providing remedies for the enforcement of

such liens and for the collection of fees due Township Trustees for services rendered under the act, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator O'Brien introduced Senate Bill No. 20, entitled :

A bill for an act creating a Board of Control of Public Buildings and Property, and providing for the appointment of a Custodian of Public Buildings and Property, their compensation, and providing for the appointment of a State House Engineer and his compensation; also, for the appointment of an assistant to said Custodian and State House Engineer and their compensation, and repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Public Buildings.

Senator Phares introduced Senate Bill No. 21, entitled :

A bill for an act to authorize Boards of Commissioners of counties where the contract has been let for the construction of court house, and where the proceeds of the sale of bonds of one per centum on the assessed valuation of the taxable property of such counties is insufficient to construct such buildings, to issue and sell county bonds to an amount not exceeding two per centum of the taxable property of such county, and declaring an emergency.

Read the first time.

Senator Phares moved the suspension of the constitutional rules, that the bill be read a second time by title and be placed on its passage.

The question being on the suspension of the rules.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Johnson of Madison, Johnston

of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 47.

Those voting in the negative were :

Senator Humphreys. Total, 1.

So the constitutional rule was suspended, the bill read a second time by title and considered engrossed. Read a third time and placed upon its passage.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 49.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act?

It was so ordered.

Senator Newby introduced Senate Bill No. 22, entitled "A bill for an act concerning and regulating building, loan fund and savings associations and the fees and charges thereof, prescribing certain duties of persons named therein and the penalties for the violation thereof."

Read the first time and referred to the Committee on Judiciary.

The following communication was received by the Senate from the House, and was ordered read by the President :

We are authorized by the Speaker of the House to inform the Senate that the House has organized by electing Henry C. Petit, of Wabash County, as Speaker; Ben H. Prather, of Marion County, as Principal Clerk; J. O. Lambert, of Henry

County, as Assistant Clerk, and Q. K. Groves, of Perry County, as Doorkeeper, and is ready to proceed with the business of this session.

ALLEN SWOPE,  
JASPER PACKARD.  
JOHN J. HART.

The hour for joint session having arrived, the President directed the Senate to adjourn to the House for the purpose of hearing the Governor's message.

The joint assembly was called to order by the President of the Senate, Mortimer Nye, who announced to the joint assembly that the roll of the Senate had just been called, and that all of the Senators were present.

The following members of the House were present, and answered to roll-call:

Messrs. Archibald, Babcock, Barlow, Berry, Blankenship, Bowers, Brown, Butler, Canada, Clauser, Claycomb, Downey, East, Engle, Eichhorn, Elliott of Henry, Elliott of Marion, Elliott of Washington, Feist, Fornshell, Furness, Geisel, Gibson, Goddard, Graham, Haifly, Hall, Harris, Hart of Gibson, Hart of Huntington, Hedgcock, Henderson, Herrod, Hicks, Hubbard, James, Jernagan, Jones, Kayser, Kell, Kelley, Knepper, Kratz, Lambert, Linck, Littleton, McCart, McCrea, McGeath, Mann, Marsh, Medsker, Miller, Monyhan, Morgan, Morris, Newton, Nicholson, O'Bannon, Packard, Patterson of Daviess, Patterson of Franklin, Patterson of Fulton, Peckinpaugh, Pettit, Pinnick, Purvis, Randolph, Record, Remington, Reynolds, Rhodes, Rifenburg, Roose, Ross, Ryan, Schaal, Schoonover, Schrader, Smith of Allen, Smith of Tippecanoe, Spooner, Stetler, Sullivan, Sutton, Swope, Thomas, Thornton, Titus, Wair, Wallrath, Weiner, Willoughby, Wise, Woodruff. Total, 97.

A committee, consisting of Senators Mull and Drummond, representing the Senate, and Representatives Thornton and McCrea, from the House, was appointed to notify His Excellency, the Honorable Claude Matthews, Governor of the State of Indiana, that the Joint Assembly was organized and ready to receive his message. The committee retired and escorted the Governor to the Speaker's stand, where the Governor delivered the following message:

## THE GOVERNOR'S MESSAGE.

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HIS REVIEW OF THE AFFAIRS OF THE STATE—FINANCIAL AFFAIRS—  
THE DIFFERENT INSTITUTIONS—INDIANA CENTENNIAL—VAN-  
DALIA RAILROAD—ANTI-TRUST LAW—GOVERNOR'S SALARY.

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Following is Governor Matthews' message to the sixtieth session of the Indiana General Assembly :

*Gentlemen of the Senate and House of Representatives :*

For the last time it becomes my duty to welcome you to your halls of legislation, and to discharge an obligation imposed upon me by the Constitution of the State, by rendering in part an account of my stewardship of the high office which a generous people confided to my keeping, and to make such suggestions and recommendations as may be deemed of value.

The representatives of no State can come together with a juster pride in their State, its advancement and achievements in the past years, than may the representatives of Indiana. The Constitution vests the legislative branch of the government with great power, and, consequently, imposes grave and weighty responsibilities upon the members of the General Assembly. Upon your labors and your acts largely depend the general happiness, welfare and prosperity of our people. Coming, as you do, direct from the people, you should well know their condition and necessities, and, keeping solely in view the public welfare, you should at no time lose sight of the importance of the trust imposed on you. The laws now in force and the laws which you may enact not only concern the happiness and prosperity of the people, but will determine the expenses of government which they must bear. The widespread business depression throughout the entire country, enforcing individual retrenchment and curtailment of expenses, demands that a wise and just economy should prevail in the conduct of public affairs.

## STATE FINANCES.

It is with no little pride and satisfaction that I can report the finances of the State to be in a most satisfactory condition, with the credit of Indiana second to that of no commonwealth in the Union. It is also with a pardonable pride that I announce that the debt of the State has been reduced, during the four years of my administration, \$2,110,000. Of this amount, there was paid during the first two fiscal years, ending October 31, 1894, the sum of \$910,000, and during the last two years, \$1,200,000. Of this latter amount, it is due to say that provision had been made in December, 1894, for the payment of \$400,000 of 8½ per cent. bonds, which were canceled January 14, 1895. There has been effected a saving in the annual interest charges of \$81,800.

A truly gratifying condition, when it is considered that there was, in 1893, a reduction of 2½ cents from the former levy, and a still further net reduction, in 1895, of 2 cents. Owing to the general depression in business of all kinds, and especially the extremely low prices of agricultural products, and the difficulty many of our citizens find in meeting their taxes, I believe you could, without impairment to the public service, make a still further moderate reduction in the general levy. The State debt sinking fund should be maintained at the present 3 cent levy, to provide means for the sure and gradual extinguishment of the State debt.

The present assessed valuation of property in the State for taxable purposes is \$1,286,050,531, and there is not much reason to fear that it will materially vary from this sum in the future. A 3 cent levy on this amount will yield over \$385,000, which, applied annually on the State debt, would reduce it as rapidly as should be in justice to the taxpayers of the State, under existing conditions.

Under more prosperous and healthy conditions, provision could be made for its more rapid extinguishment, if deemed advisable.

## STATE DEBT.

The present indebtedness of the State is as follows :

*Foreign Debt.*

Five per cent. State stock certificates, due and interest stopped .....	\$4,469 90
2½ per cent. State stock certificates, due and interest stopped .....	2,145 18
3 per cent. registered temporary loan bonds, 1889, payable at pleasure of State after April 1, 1894, due April 1, 1899.....	200,000 00
3 per cent. registered temporary loan bonds, 1889, payable at pleasure of State after September 20, 1894, due September 20, 1899 .....	700,000 00
3 per cent. registered refunding school bonds, 1889, payable at pleasure of State after June, 1899, due June 18, 1909 .....	3,905,000 00
3½ per cent. registered refunding bonds, 1892, payable at pleasure of State after April 1, 1897, due April 1, 1901.....	340,000 00
3½ per cent. registered funding bonds, temporary loan, 1895, due April 1, 1915.....	585,000 00
3½ per cent. registered State House bonds, temporary funding loan, 1895, due May 1, 1915..	500,000 00
Total foreign debt .....	<hr/> \$6,236,615 12

*Domestic Debt.*

5 per cent. bond, held by Purdue University, due April 1, 1901.....	\$340,000 00
5 per cent. permanent endowment fund, Indiana State University bonds .....	144,000 00
Total domestic debt.....	<hr/> \$484,000 00
Total foreign debt .....	<hr/> \$6,236,615 12
Total State debt.....	<hr/> \$6,720,615 12

For a more complete statement of the State debt, receipts and expenditures, I refer you to the excellent and full report of the Auditor of State.

## STATE TAX LAW.

Much of the prosperous condition of our State finances is due to the fuller, fairer and more equitable assessment of property under the law, commonly known as the tax law, enacted by the General Assembly in 1891.

It has proved to be so wise and just a law that several States have since adopted it, in whole or in part. Previous to its enactment, corporate wealth of the State had not borne its proper or fair share of the burdens of taxation. The law was cheerfully accepted, and submitted to by the individual taxpayers of the State, but it has been constantly assailed by the railway and other great corporations from the date of its enactment to the present time. So far, it has been sustained by the lower and higher courts of the State, and by the Supreme Court of the United States. It is a just law, has worked well, and should be jealously guarded by you. I can not too strongly admonish you against changing or amending it. Every attempt to do so should receive your most careful scrutiny before permitting any changes to be made. The Board of Tax Commissioners, of which I have been a member from its inception, have earnestly and honestly endeavored to strictly carry out its provisions. I here beg the privilege of testifying to their impartial and conscientious labors.

## CONTINUOUS RACING.

The last two years of my administration have been free from those disturbances which were a great source of uneasiness and annoyance to the people and to myself, which marked the first two years. After using every means at my command, waging an incessant warfare, and fortunate in having the active and able co-operation of the Attorney-General, the evil of winter and continuous racing, which had gained such a footing in Lake County, has been practically uprooted, and those great gambling concerns have now sought lodgment in one of our sister States. While congratulating ourselves upon the riddance, we can most sincerely tender our sympathies to the State afflicted with the demoralizing and disreputable influences which surround those so called racing associations.



## THE STATE INSTITUTIONS.

There is nothing of special importance to be reported concerning the several public institutions for the past two years.

Their management, intrusted, as they have been, to capable, efficient Superintendents, ably seconded by Boards of Trustees, composed of gentlemen of integrity and experience, have been remarkably free from charges of corruption, inefficiency, extravagance or the numerous little scandals that so often assail public institutions. As a rule, they have been conducted upon strict business methods, with a view to economy and justice, but at the sacrifice of neither comfort nor humanity.

All the institutions, of which I have had the appointment of the boards of control, or trustees, have been placed or kept on the non-partisan plan. This is true of every institution in the State, except the two prisons, north and south, the appointment of whose directors was placed by the last General Assembly in the hands of a board composed of other State officers.

I had appointed for the prisons a non-partisan Board of Directors, but these were removed and a strictly partisan board created. Nor has this partisanship been confined to Boards of Directors, but has been rigidly enforced as to officers, guards, and all employes of the prisons. Valuable and experienced employes have been discharged and their places filled with those who held the same political faith with the directors and superintendents.

This seems peculiar, in view of the oft repeated professions of the members of the Legislature favoring non-partisan control, which removed the power to appoint from the executive and placed it in the hands of a board of administrative officers of the State government. For a detailed statement of the prisons, I refer you to the reports of the respective officials. I briefly direct your attention to but a few facts.

## PRISONS NORTH AND SOUTH.

The reports of the two prisons have come into my hands at so late a day that I am unable to enter upon any detailed statement as to conditions or needs. Both prisons are reported in a reasonably prosperous condition as to employment of convicts.

There were, October 31, 1896, in the Prison North, 842 convicts, and 817 in the Prison South, or a total number in the two of 1,659 prisoners, or thirty-five less than for same period the preceding year. Your attention is invited to the reports of the directors of the respective prisons.

#### INTERMEDIATE PRISON.

The State prisons for men contain cells sufficient for the proper accommodation of about 1,200 prisoners. The average number of convicts present in these prisons during the fiscal year ending October 31, 1896, was 1,682. These institutions, therefore, contain at least 400 prisoners more than can be properly cared for. It is clear that extensive and costly enlargements of the prisons are necessary and must be made immediately, or at a comparatively early day.

This seems, therefore, to be an opportune time for the State to comply with that provision of the Constitution which directs that the penal code shall be founded on the principles of reformation, and not of vindictive justice. Fortunately, we are not compelled to venture into the field of experiment in undertaking a reform of our penal system. Many other States of the Union have already traveled far toward the reformation of criminals, especially those young in years and crime. It is suggested that, instead of expending a large amount in enlarging our two State prisons, the General Assembly shall appropriate the funds which would be necessary for such enlargement for the establishment of a third institution, to be known as the Intermediate prison, to be devoted primarily to the reformation of criminals, who, because of youthfulness or inexperience in crime, are believed to be susceptible of reclamation. This should be limited to younger prisoners committed for first offenses.

The operation of such an institution should be supplemented by laws which would permit the conditional release of the inmates, for a practical test of the genuineness of their reformation, when considered wise by the authorities of the Reformatory. Careful observation of the operations of the institutions of this character in other States has shown that the percentage of young criminals who return to lives of honesty and industry

upon their release is very much greater than that among prisoners discharged from State Prisons of the ordinary type. The requirements of both humanity and economy demand that all practicable methods be taken which may result in reducing or checking the growth of crime in Indiana.

#### RELEASE OF PRISONERS.

The Fifty-ninth General Assembly enacted "that all convicts confined in the penitentiaries, north and south, upon the expiration of their terms, shall be taken back to the county jail of the county from which they were convicted and there released by the Sheriff of said county." The law also provided that the prisoner should not be paid any sum of money by the State, which had heretofore been customary. I regret to say that I approved this bill. It was presented to me as one of over one hundred bills, with but three days permitted me to consider and report back to the Legislature. By reason of this I did not then, as now I do, appreciate its inhumanity and injustice. This law is wrong and should be repealed. It often occurs that prisoners do not desire to return to the county from which convicted, either through shame or that it is not their home. In the latter case, to return a prisoner and send him from the jail door homeless, penniless and friendless, is not only unjust and inhuman, but too often forces the prisoner into the re-commission of crime.

In urging its immediate repeal I would approve the recommendation of the Board of State Charities that the discharged prisoner be provided with a comfortable suit of clothes, paid a small sum in cash, with a railroad ticket, procured by the Warden of the prison, to any point within the limits of the State.

#### REFORM SCHOOL FOR BOYS.

There is nothing unusual to report in regard to the Reform School for Boys. Under the intelligent guidance of this school it has steadily progressed until it is to-day one of the foremost institutions of its kind in the country. It makes a remarkable showing in the health of the boys, only one death occurring during the year. The purchase of 195 acres adjoining the

farm has proven to be a fortunate and profitable investment. It increases the opportunity to give the boys healthful and useful employment, besides affording means to diminish the cost of maintenance.

#### PRISON FOR WOMEN.

Time has demonstrated the wisdom of the General Assembly in placing the exclusive management of the Reform School for Girls and Woman's Prison in the hands of women. It has been, under its present trustees and officers, humanely and liberally, though economically conducted, notwithstanding its overcrowded condition.

You should carefully note the recommendations of the Trustees that there should be a separation of school and prison.

It is a serious question whether the best results can be accomplished for which the Reform School for Girls was established until it becomes a separate and independent institution, entirely severed from connection with the Prison for Women. Misfortune and adverse circumstances, not crime, place a large number of the girls within the care of the school. As few hindrances as possible should surround their reformation and education. Not only should the stigma of the prison not attach to them, but they should be removed as far as possible from the influences of older prisoners, committed for criminal offenses.

The normal capacity of the School for Girls is 160. The report of the Superintendent now shows 208 inmates. I would recommend that immediate steps be taken for the erection of a woman's prison, the transfer of the women prisoners thereto, and provision made for the conversion of the prison department into suitable quarters for the girls. Justice and humanity should claim your serious and early consideration of this subject.

#### EXECUTIVE CLEMENCY.

During the last two years I have pardoned or paroled 115 prisoners and granted thirty two remissions of fines and forfeitures. The distressing depression in business affairs, lack of employment by a large number of our citizens, has rendered

the application for remission of fines most burdensome. I have released a number of young convicts, serving for first offense, by taking off from one to three months before the expiration of their sentence. Where the previous character of the prisoner had been reasonably good, prior to the commission of the offense, and whose prison record had been good, I have thus acted, hoping that it might have good effect upon their future life. In the majority of cases I have exercised the right to parole, or a conditional pardon. All exercise of executive clemency has only been after full and thorough investigation, and in each case feeling fully justified. I have no doubt that there are many others deserving pardon, but pressure of other duties has prevented that investigation necessary.

#### HOSPITALS FOR THE INSANE.

“The manuscript reports for the hospitals for the insane and educational institutions were filed with me, and, hastily examining them, they were sent to the printer, so as not to delay publication. I have not the published reports up to the time of preparing this message, and, consequently, am unable to make the mention of each which I desired, and will refer you to the reports for information respecting the hospitals. Suffice to say that all are in excellent condition, yet crowded to their full capacity. There are 3,158 patients being treated in the four hospitals, and distributed:

To the Central Hospital .....	1,586
To the Northern Hospital .....	618
To the Southern Hospital .....	485
To the Eastern Hospital .....	519

The statements by the Trustees of their necessities, I feel, are not fanciful or exaggerated, and are worthy your serious consideration. One important feature especially worthy of mention is the pathological department recently completed at the Central Hospital. This is a progressive movement in the right direction. This department, absolutely essential in the thorough treatment of patients, will prove of immense benefit to the public and all concerned. Its introduction is entitled to the highest commendation, and is a credit to the State. One

other subject of vital importance is that of sewage of the Southern Hospital.

The management of the Southern Hospital for the Insane have continuously encountered difficulties in disposing of the sewage, from which they should be relieved. When this institution was constructed and turned over to the Trustees, no arrangement had been made for the disposition of sewage, and it has been a ceaseless annoyance to both the officials of the hospital and resident property owners. At present the sewage is conveyed in an open ditch for quite a distance along one of the most public thoroughfares leading into the city of Evansville. It passes through the land of those living near the hospital grounds, and is finally deposited on the property of an adjacent land-owner, spreading over his grounds and creating an intolerable nuisance.

The continuance of this open sewage ditch depreciates the value of property in that neighborhood, and seriously threatens the health of the citizens. Complaints are frequent and bitter from residents along the route. They have just cause for complaint. The State has no right to maintain such a nuisance—a nuisance that imperils the lives of its citizens. It is a shame that the evil has not long since been remedied. You can not with justice or honor, longer ignore it, and I trust you may meet the necessity promptly.

I recommend that a special joint committee, three from each branch of the Legislature, be appointed early in the session, to visit the hospital, and prepare a bill to be presented for early action. I would suggest that this joint committee be empowered to take with them a competent engineer to examine the different routes proposed for a sewer. Such a committee, conferring with the board of control of the hospital, consulting the members of the Board of Public Works and other officials of the city of Evansville, and interviewing the land-owners along the different routes, should be able to agree upon a plan that would quiet the discontent of resident citizens and effectually remedy the unfortunate condition that at present exists.

## INSTITUTE FOR THE DEAF AND DUMB.

There is an unusually large attendance of pupils this year at the Institute for the Deaf and Dumb, the report of the Superintendent showing an actual attendance, October 31, 1896, of 312. The trustees suggest the sale of certain parts of the land belonging to the Institute. It seems to me that the time is not the most favorable for making such sale, owing to the fact that it would be difficult to realize its fair value. When such property has recovered, then it might be well to dispose of the land not actually needed for school purposes, and the sum received be judiciously invested, the income from which to be used for the benefit of the Institution.

## INSTITUTE FOR THE BLIND.

This school is quietly and effectively doing a noble work. There are now 126 pupils in the school. The general health has been excellent. Great improvements have been made in the work-room for both boys and girls, and, under capable instructors, they are learning much that will be useful in the future. The report this year is so modest in its recommendations and demands that it will doubtless commend itself to your consideration.

## SOLDIERS' AND SAILORS' ORPHANS' HOME.

One of the most interesting institutions of the State is that of the Soldiers' and Sailors' Orphans' Home. At the close of the fiscal year ending October 31, 1896, there were 623 children at the Home. The general health of the children has been good, almost wholly free from epidemics. The trustees, in their report to the Governor, call attention to the important matter of securing a competent financial officer. The responsibilities resting upon this officer are by no means slight and require no little ability to perform. In his selection, the board is limited to honorably discharged Union soldiers, and as, year by year, we recede from the war period, the board will have greater difficulty in securing such an officer. It is necessary that he should be an accurate bookkeeper and accountant, of

sound judgment and experience in the purchase of food supplies, clothing, repair materials, etc. In addition to this, it is most important that he, coming in contact with the children, as he necessarily must, should be of high moral character and strict integrity. The salary of \$600, as at present allowed this officer, is not sufficient, and I join in the recommendation of the trustees that this salary should be increased to \$900.

#### SCHOOL FOR FEEBLE-MINDED.

There are now 563 inmates of the School for Feeble-Minded Youth, with a large number of applications which the School is unable to receive or care for. Few more distressing or perplexing questions arise as to the wards of the State than are encountered by the management of this School. The farm colony, established by the Superintendent, has been so successful as to point out a solution in part of some of the difficulties. The management of such an institution calls for the highest exercise of humanity and judgment. This School has now attained a high standard, by its present trustees and Superintendent. They make a most interesting report, and present the needs of the institution in a modest, yet comprehensive way, and you will doubtless duly consider the recommendations offered.

#### SOLDIERS' HOME.

On the 4th day of July, 1896, the Indiana State Soldiers' Home, near Lafayette, was dedicated with appropriate ceremonies, although formally opened February 1, 1896. On October 31st there were 274 occupants of the Home, eighty-three of whom were women.

The Board of Trustees are to be especially commended for the rapidity with which the Home was prepared to receive old soldiers and their wives or widows. Situated as it is, upon a beautiful and commanding site, its future promises to possess rare attractions. The trustees had many difficulties to encounter, virtually erecting the Home in the forest. Yet they have triumphed over all obstacles and have wisely and economically used the money at their command. The main build-



ings are of substantial, plain, yet tasteful construction. Twenty-six cottages have been erected, and make comfortable homes. In addition to those constructed by the Grand Army of the Republic, the Woman's Relief Corps, and the women of the Grand Army of the Republic, seventeen counties have erected cottages. While much has been accomplished, much yet remains to be done before the Home will be complete, well equipped and ready to receive those applying for quarters. It is a noble work, and speaks in eighest praise of the gratitude and patriotism of the people of Indiana. None too soon can the day come when not a single veteran may be found in the poor houses of the State, or that it may be necessary that the husband and wife in their declining years be separated. The Home merits your consideration, for its further wants, which are plainly represented in the report of the trustees. It is to be found on your desks ; to it I solicit your attention.

#### THE INDIANA UNIVERSITY.

None of the educational institutions of the State are in a more prosperous condition than the State University, at Bloomington. In recent years the scope of this University has been much enlarged, and it has made wise use of its opportunities. There has been a surprising increase in the attendance of students from year to year, until now there is an enrollment of nearly one thousand. It is accomplishing a great educational work, but, as you will see from the report, which will be laid upon your table, is much cramped for quarters, and in need of some additional equipment. The report of this Institution is worthy your careful examination.

#### PURDUE UNIVERSITY.

Few educational institutions in the entire country have made such wonderful strides in the fields of higher education as has Purdue University. This is almost wholly due to the active and untiring energy and rare executive ability of its president. Year by year, the number of students increases, and the University adds to its splendid equipment for more thorough technical and agricultural instruction. It to-day ranks high with the universities of the land in its special line of work.

## STATE NORMAL SCHOOL.

Continued, steady and healthy advancement marks the year's record of the State Normal school. It has well met the grand purpose for which it was established. The work of no educational institution extends such wide influence throughout the State. Every district school feels the influence of the instruction given at this school. It should be your aim to foster it, and do all in your power that it should attain the highest degree of proficiency. The people of Indiana may well be proud of its three great educational institutions—the State Normal, and the State and Purdue Universities.

## PUBLIC SCHOOLS.

There could be no source for greater pride to the people of Indiana than in our unexcelled system of public education. And there can be no duty more incumbent upon you than the watchful guarding of the common school fund, that it may, in the highest degree, perform the noble mission for which it was created. The common school fund of the State now amounts to \$10,218,432.19. The present State school levy is 11 cents on the \$100 valuation. The total enumeration of school children in 1896 was 734,640. The total revenue from all sources for the school year in 1896 was \$4,301,413.04, for itemized statement of which I refer you to page 320 of the report of the Superintendent of Public Instruction.

## COMPULSORY EDUCATION.

A subject that is now seriously engaging the thought of intelligent men and women is that of compulsory education. Several States have already adopted laws compelling the attendance of children within certain age limits, at school, either public or private, for certain periods during the school year. The Constitution of the State of Indiana declares that "it shall be the duty of the General Assembly to provide by law for a general and uniform system of common schools, wherein tuition shall be without charge and equally free to all."

In 1896 the number of children of school age in the State was .....	734,640
Number of children represented as enrolled in public schools .....	543,665
<hr/>	
Showing as not enrolled.....	190,975
Deduct from this the number attending private or parochial schools (estimate).....	30,000
<hr/>	
We have then .....	160,975

Not attending either public or parochial schools: But it can be safely estimated that there are near 100,000 children enrolled, but not attending school. So that we have over 260,000 children of school age in Indiana not availing themselves of the means provided by the tax-payers of the State for their education. Our State Constitution further affirms that "knowledge and learning generally diffused throughout a community being essential to the preservation of a free government, it shall be, etc."

Upon this theory the State levies a general tax upon the property of the State, and provides for its general distribution among the children of school age. It would seem that if the State imposes such tax upon the individual on the ground that he is to be benefited by the education of the children, it is the duty of the State to see that this becomes effective, by providing not only the opportunity for an education, but by also providing that children of suitable age shall be compelled to receive its benefits.

Good citizenship requires intelligence enough to make good laws and patriotism enough to obey and defend them when made. It might be truly said that every voter in Indiana is a law-maker. He expresses his thought through the ballot and his intelligence manifests itself in the laws of the commonwealth.

It is trite to assert that the subject of education is intimately connected with the perpetuation of free institutions. The experiment of popular government will be successful only to the extent that the people are intelligent and educated. For under a republican form of government, where the people

govern themselves, and where the most momentous and complicated questions are decided at the ballot-box, a high degree of intelligence and a certain amount of education are indispensable.

Much as has been done for the cause of education in this country, especially in Indiana, but the careful student of affairs must recognize the fact that much remains to be accomplished before our education can be truthfully called "universal."

Tens of thousands of American children are growing up in ignorance, notwithstanding our magnificent system of public schools. The welfare of our State and nation is being endangered by a large and constantly increasing body of illiterates. Boys are growing up in our towns and cities, not attending schools, but educated in the streets, too often in the slums, only to become fit subjects for our correctional or penal institutions. Heroic measures are sometimes necessary to correct growing evils. That compulsory education laws have not been uniformly successful is not conclusive argument against their enactment. They have sometimes failed in their desired end, and because not properly enforced. They were not enforced, because not always supported by public opinion, and public opinion was not decisive in their favor, because the public generally has not been awake to the seriousness of the situation. Great reforms move slowly, and just as soon as the American people fully realize the magnitude of the illiteracy, both native and foreign, and the dangers likely to accrue therefrom, then a compulsory education law can be enforced.

I readily admit that education without compulsion is to be preferred to that obtained under restraint, and it is equally true that the latter is better than no education at all. I am convinced that a moderate and judicious law, compelling the attendance of children, say, between the ages of seven and twelve, in the public, private or parochial schools, for a certain number of months, say, four, each year, could be enforced, and would be productive of great good to the State and nation.

## ACADEMY OF SCIENCE.

In my last biennial message I recommended that proper aid be granted the Indiana Academy of Science for the publication of their papers. This was conceded, and an appropriation of \$600 per annum for two years was made. The two reports published contain valuable papers, of general interest and value to the citizens of the State, covering a wide range in the fields of science and sanitation. These papers are prepared by an able corps of editors, skilled in their special departments, without any expense for services to the State. It seems to me that it would be well to continue the small appropriation heretofore granted, and for a longer period than two years, as prescribed in the previous act.

## STATE BOARD OF AGRICULTURE.

Owing to the absorbing interest of the public in the political contest of 1896, agricultural fairs were generally unsuccessful and disappointing to their managers. Notably was this true of the State Fair, held under the auspices of the State Board of Agriculture. This board is representative of one of the greatest and most important interests of Indiana. It is proper and right that you should extend a helping and encouraging hand to this interest. The board, under many discouraging and adverse circumstances, has earnestly labored for success. With the prevailing low prices of agricultural products of all kinds, and live stock, the farmer has little inclination or opportunity to indulge in the luxury of recreation, even in such a beneficial educational school as is a well conducted State Fair. When prosperity may have returned to bless the toil of the farmer, I have little doubt that the State Fair will be placed upon a substantial basis, with the heretofore annual appropriation from the State, which should be continued.

## STATE SANITARY COMMISSION.

While I believe that the State Live Stock Sanitary Commission is the means of accomplishing a good and useful work, yet there is need for some revision of the law creating the commission. As it is, there is an unnecessary expense con-

nected with its labors. It is not easy to understand the necessity of three members of a commission, with a State Veterinarian, traversing the State to some point where a supposed infectious or contagious disease may have been reported, when at last the commission is almost wholly governed by the judgment or decision of the veterinary officer. I would recommend that the commission be discontinued, and in lieu thereof a competent veterinary surgeon be appointed by the Governor, to be known as the State Veterinarian, and to discharge the duties now devolving upon the Sanitary Commissioners, said Veterinarian to be provided with sufficient salary and necessary traveling expenses.

#### HORTICULTURAL SOCIETY.

I do not believe that the State Horticultural Society is appreciated according to its merit. The publications of this society are interesting and of value to the public. The intelligent discussions of subjects relating to this interest, one of greater importance than many realize, should be afforded means to be published and distributed. I hope you may continue to extend encouragement to the society.

#### STATE BOARD OF HEALTH.

I am unable to commend to you the complex and expensive system recommended by the board. It is not a fitting time for the introduction of expensive experiments into the State machinery. Aside from the expense, the reorganization of the State board as proposed, and the creation of numerous local boards and complicated machinery, are of doubtful propriety and usefulness. The State board as now constructed can accomplish great good if the powers at its command be wisely and vigorously used. Practical labors and investigations will be of more value to the public than theoretical fancies, and chimerical teachings of newly-established hygienic schools. If more authority or power be necessary to the successful work of the present board, grant these, but avoid introducing complicated methods into the performance of duties by any of the State boards. As a rule, the simpler the methods adopted, the

more effective and valuable. It is easy to fasten upon the State expensive methods, requiring large numbers of officers, but difficult to get rid of them when once adopted.

#### DEPARTMENT OF GEOLOGY.

The Department of Geology was created originally, but several times abolished and re-established, in 1838. Since then there have been surveys of nearly every county in the State. Without the intention of casting any reflection upon the present head of that department, I would submit for your consideration the wisdom of, at the expiration of the term of office of the present incumbent, abandoning the office of State Geologist. The mineral and other resources of the State are now so well known and have been so thoroughly developed that recent surveys are largely a repetition of former ones, and it is questioned if this expense should not be saved the State. The offices of Mine, Gas and Oil Inspectors should be continued, and to be appointed by the Governor, to whom they should make report. The reports of these officials, especially Mine and Gas Inspectors, should be rendered quarterly, in circular form, and published for general distribution. The Geological Department and State Museum could be placed in charge of a competent custodian at a moderate salary.

#### BOARD OF CHARITIES.

During my entire administration, connected as is the office of Governor more or less with the various institutions of the State, I have found the State Board of Charities most helpful. Each year has but confirmed me in the opinion of its necessity and value to the State and its public institutions.

Since its organization its duties have increased, and it has the more commended its work to the public. The Board, with its present efficient Secretary, has measured up to its opportunities, and has done for the State a great and good work. It stands a faithful guardian to both the public and the management of the various public institutions. I can not too loyally commend the labors of the present Board to your favorable consideration.

## THE INDIANA NATIONAL GUARD.

Never in the history of the State has its militia, the Indiana National Guard, been in higher condition, better equipped or in more thorough discipline. The Guard at present is composed of four regiments of infantry and one of artillery—a total force of 2,891, or 2,694 men and 197 officers. There are forty-two companies of infantry and three batteries. The Adjutant-General states that in fifteen hours or less 2,500 men could be mobilized at almost any point in the State. Attention has been paid to the better equipment of the Guard, and, while it is good and far better than ever before, yet it lacks in some particulars, which can be remedied from time to time. Steps have been taken, which I hope will soon be accomplished, to have a first-class battery in the service of the State. In time it is to be hoped that the others can be placed on the same footing. To the higher discipline and *esprit de corps* of the Guard much credit should be given to the law adopted by the last General Assembly, as well as to the valuable services and direction of the general officers. On more than one occasion has the National Guard proven its efficiency in the protection of life and property and the enforcement of law. From the officer to the humblest private in the ranks there is not one who does not make a sacrifice in both time and money in his service to the State several fold more than is received in compensation therefor.

When their services are necessary none more cheerfully and promptly respond to the call of duty. They deserve your consideration, and the encouragement and support of the citizens of the State. For detailed statements I would refer you to the comprehensive report of the Adjutant-General, embracing those of Quartermaster-General Compton and Brigadier-General McKee.

The duties and responsibilities of the Quartermaster-General have so increased, demanding more of his time than formerly, that the salary of \$600, at present allowed that officer, is utterly inadequate. The Quartermaster-General is the custodian of hundreds of thousands of dollars of property, for which he is held strictly accountable. His salary should be placed at not less than \$1,200 per annum, every cent of which he will fully



earn. There has been a full accounting rendered between the State and the General Government by Quartermaster-General Compton, and we expect a full discharge from the Government in the near future, which will be the first in thirty years.

#### CHICKAMAUGA NATIONAL MILITARY PARK.

In my message two years ago to the General Assembly, I called attention to the fact that at the request of the Commissioners of the Chickamauga and Chattanooga National Military Parks, I had appointed a commission of citizens of Indiana, who were participants in the battles there fought, which the General Assembly generously approved. An appropriation of \$40,000 was made for the purpose of erecting monuments to the Indiana regiments engaged, and placing markers for the different historical points where monuments could not be erected. The report of the commission, explaining their work, will be placed before you. The commission has well performed its labors, prudently and economically, using the appropriation, and monuments, constructed of Indiana stone, are now placed upon the spots where Indiana regiments rendered most conspicuous services, with but one exception.

The position for the monument to the Ninth Indiana Infantry is yet in dispute between the State and national commissioners. The Indiana commissioners claim, and justly claim, for this regiment a place on Snodgrass Hill, where gallant and important services were rendered, perhaps the most important on the field of battle. Believing this point of honor justly due to Indiana, I have supported our commission in its contention, and urged that the monument be not placed until our rightful place was conceded. So the matter rests, and for fuller explanation I refer you to the aforementioned report of the commission. The commissioners, through no fault or neglect of their own, have been unable to complete the work assigned them. There is an unexpended balance of the appropriation of \$8,421.36. I recommend that this balance be re-appropriated and the commission, as now formed, be continued to complete this work. The credit of the State is involved in this, that Indiana should be correctly and accurately along with other States, placed upon the battlefield.

It grieves me to report the recent death of Gen. Morton C. Hunter, President of the commission. A brave soldier and an honored citizen has been lost to the State. I appointed Capt. Augustus C. Ford, a participant in the battle, to fill the vacancy so caused. September 19 and 20, 1895, the Governors of the several States having troops engaged in these battles were called upon by the national Government to take part in the exercises dedicating the National Park on the battleground and in the city of Chattanooga. All the other States made liberal provision for suitable representation, but Indiana, although second in the number of regiments engaged, made no appropriation for this purpose. As Governor of the State, proud of the valor displayed on this sanguinary battlefield by Indiana soldiers, and feeling that it was due to the memory of the brave soldiers who fell and their surviving companions, I determined the State should be represented. I dispatched Quartermaster-General Compton, with the tents of the State to establish headquarters for Indiana on the battleground.

The Governor, a part of the staff, State officials, and the Indiana Commission were quartered at this camp near Cave Spring. In addition, a large number of tents were pitched to accommodate Indiana veterans who were also in attendance. While each individual bore their part of the expense, there were other expenses, amounting to \$358, incurred by the Quartermaster-General, which I assumed. I would respectfully suggest that I should be reimbursed to this amount. In requesting this, I believe it was a necessary expense—one that could not with propriety be evaded, and should not have been.

I believe Indiana was creditably represented by State officials, veterans and citizens at the dedication, and not to have been officially represented would have been unfortunate.

#### TENNESSEE CENTENNIAL.

Our sister State, Tennessee, this year celebrates the one hundredth anniversary of its admission into the Union of States. The citizens are making extensive arrangements for the celebration of this event, by way of a National exposition, in which all other States are invited to participate and be represented.

At the request of the Tennessee managers, I appointed Commissioners for Indiana, to serve without compensation, unless you should see fit to appropriate a sum for this purpose. It might be well to make a moderate appropriation for Indiana's representation. It is understood that the Commissioners have erected a large and commodious building, in which space is to be allotted to exhibitors of States desiring it. Several of the States have already made liberal appropriations to participate in this enterprise of a sister State.

#### INDIANA CENTENNIAL.

In compliance with a concurrent resolution of the preceding General Assembly, I appointed a Commission of thirty members to report to the present session of the General Assembly such recommendations as might be thought best for the appropriate celebration of the one hundredth anniversary of the establishment of the government of the Territory of Indiana. The Legislature adopting the resolution expressed a desire that such anniversary should be commemorated by a State exposition, exhibiting the century of development in Indiana's history, and it was expected that this Commission, so appointed, should investigate and offer a plan for carrying the idea into effect.

The commission, composed of thirty of the representative and enterprising citizens of the State, have cheerfully and freely, without cost to the State, given their time, labor and thought, and submit their report, which is herewith transmitted for your action. Should you deem the times propitious for this great undertaking, you will find in this report the well-digested thought and work of intelligent citizens, jealous of the good name of our State, and interested in its present and future welfare. Indiana is a great State, of almost illimitable resources, and possessing in an eminent degree all the elements necessary to the greatest prosperity and the highest civilization. No attempt should be made to celebrate the one hundred years of Indiana's wonderful development except upon a broad and generous scale. To do otherwise it would be far better that the attempt be not made at all.

The plan proposed by the commission, which, offered in the proper patriotic spirit, and commensurate with the occasion, would entail no light expense upon the citizens of the State, and should cause you to seriously consider whether you would be justified in adding to their burdens.

The condition of a people can be such at times that the slightest additional burden could be oppressive and unjust. I doubt that a better plan could be presented than this of the commission, and should you, after careful deliberations, conclude to adopt it, I desire to direct your attention to one of its recommendations, and that is the appropriation for the site of the centennial building, of the two squares of ground in the city of Indianapolis, belonging to the State, and now occupied by the Indiana Institute for the Education of the Blind.

Indianapolis, the seat of the State government, is a rapidly growing city, with its available building lots steadily enhancing in value. The future needs of the State for building grounds are yet unknown and difficult to determine. The State now owns several pieces of property that would be most advantageous, should the necessity for their use by the State arise. The building now used by the Institute for the Blind is a good building, of attractive architecture, well located, of sufficient capacity for present needs, and could be easily enlarged to meet future demands. It would seem poor economy to destroy this building and erect a new one less desirably located. I would advise you to deliberate with great care before consenting to a disposal of the property of the State now held in the city of Indianapolis.

#### ANTI-TRUST LAW.

It is important that you should consider a subject which until recently had been most commonly believed to require the stronger hand of the National Government to be effective. This is the formation of what is known as trusts, or powerful combinations of capital, to control certain industries and to suppress competition in trade. The President of the United States, in his last message to Congress, supplemented by the report of his Attorney-General, calls attention to the fact that

Federal laws dealing with such combinations have proved ineffective, and makes the surprising admission that all Federal legislation may prove inoperative "because of inherent obstacles and also because of the complex character of our government system, which, while making the Federal authority supreme within its sphere, has carefully limited that sphere by metes and bounds that can not be transgressed.

The protection to the public must be looked for from the several States, and there is no doubt expressed as to their power to act effectively. To every intelligent and unbiased citizen the fearfully dangerous power of combined wealth for such purposes must be apparent, in that it is subversive of the principles upon which popular government is founded. To protest against the influences for evil, or the dangers of vast aggregated or allied wealth to control trade, destroy competition, dictate legislation and create trusts and monopolies, is not to condemn wealth in itself, or the possessor of wealth. For we must recognize in the struggle for the attainment of wealth, in the citizen keeping abreast or ahead of his fellows, great agencies in the advancement of higher civilization.

But laws should not countenance the unjust combination or concentration of wealth, that in its result would smother the aspiration of the citizen and prove destructive of individual industrial competition. Such would in the end prove destructive to manhood and demoralizing to American citizenship, inevitably leading to a condition but little short of enslavement. It can not be denied that trusts and combinations have increased at an alarming rate in the past few years, and are reaching out in every direction, invading all trade and commercial interests, even embracing the necessities of life. Their power is already alarming and enormous. If State laws can alone or more effectively deal with this subject, then you can not too speedily take such action as will limit, restrict or prohibit these powers.

To do so properly calls for the highest order of disinterested statesmanship. It would be a valuable service to the public to adopt a vigorous law, preventing the formation of trusts, and prohibiting their doing business within the State, with severe penalties of fine and imprisonment, or both, for its violation.

## VANDALIA RAILROAD.

Under an act, approved January 26, 1847, the Terre Haute & Richmond Railroad Company was incorporated. This property is now embraced in what is known and termed the Vandalia system. It has been a matter of common belief that under the charter granted the old Terre Haute & Richmond Railroad Company there is justly due the State of Indiana a large sum of money from this company. Spasmodic and frequent attempts have been made for an accounting between the railroad and the State. For a number of years past, it is well known that this subject has been before every Legislature. Bills have been offered that were referred to committees, and there lost. Joint resolutions have been passed, but no action taken thereon, and so the matter has ended from time to time.

The Vandalia Railroad, to the intense surprise of the public, and under peculiar circumstances, has been placed in the hands of a receiver, appointed by the Federal Court. The matter can not longer be lightly passed, and it becomes your solemn duty to see that the rights of the State, if any, are not lost. Nothing can be done to determine this, except as authorized by the General Assembly. There may or may not be a considerable sum of money due the State. At all events, justice to both the public and the railroad company demand that you should order an accounting. If the railroad company does not owe the State, the public should know it, and the railroad company be relieved from constant annoyance and threats, and the necessity of appearing before each Legislature to prevent or defeat proposed legislation. If it be found that there is money owing the State, then steps should be taken to collect it, or secure the rights of the State. I would suggest that the Attorney-General be instructed to demand an accounting, and that he be authorized to employ an expert accountant to aid him in the investigation, and employ such assistance as he may deem necessary in case of litigation.

## BUILDING AND LOAN ASSOCIATIONS.

By a concurrent resolution of the last Legislature, I was instructed to appoint a commission of three persons to prepare a bill for an act to regulate the formation and business of

building, loan and savings associations, and that said commission should make a report to the Governor. In compliance with this resolution I appointed Messrs. John H. Holliday and James E. McCullough, of Marion County, and Bellamy S. Sutton, of Shelby County. The commission made industrious and intelligent investigation of the subject, and have placed in my hands a bill, to which they have devoted much time, thought and labor, and which I now have the honor to transmit to you. I bespeak for it that careful consideration which its importance and the vast interest dealt with demand, and that it may aid you in your endeavors to correct the wrongs which have from year to year grown, as these associations have increased in numbers and liabilities.

It can not be denied that building and loan associations, properly conducted, are beneficial to the community, and the means of accomplishing great good. These associations, as primarily designed, as a means of assisting in the accumulation and investment of small savings, and in procuring homes, should receive every reasonable encouragement. The ownership of homes is a great safeguard to American liberties and institutions, and every inducement should be offered to secure homes by as large a number of our citizens as may be possible. Building and loan associations, conducted upon the purely local plan, are of such character. But there has been a wide departure from the original design, as too many of these associations are engaging in business never contemplated by the law. These largely operate upon what is known as the national plan, and engage in a general banking and investment business. Into the management of too many have crept abuses and evils that work an injustice to the investors, and bring discredit upon building and loan associations in general. There are few matters demanding your attention more important than the passing of a law that shall check these present evils and prevent their recurrence. If not properly restricted, it were better that such associations did not exist.

#### MT. CARMEL DAM.

A number of years ago the United States Government constructed a substantial dam of masonry across the Wabash River, just above the town of Mt. Carmel, Ill., to aid navi-



gation of this river. This is commonly known as the Mt. Carmel dam, but is designated in Government surveys as the Grand Rapids dam. In constructing this dam the Government neglected to put in fishways, so that fish could not ascend the river above the dam, except in extreme high stages of the river.

The greater part of the year fish were confined below the dam, and this point was frequented by not only those fishing for sport, but mostly by those for market purposes, who in various ways took out great quantities of fish. Especially was this destructive during the spawning season, when fish in their attempt to go up the river, were stopped by this dam. At this point the Wabash River is the dividing line between the States of Illinois and Indiana, and it became necessary that the two States should jointly seek to remedy the evil. The Wabash River being also classed as a navigable stream, this could only be accomplished through the general Government. Consequently, I suggested to the Governor of Illinois that we should each send a representative to investigate the difficulties, make report, and that we should unite in an appeal to the Secretary of War to have the obstruction removed and provide ample fishways. The Governor of Illinois promptly and cordially approved the suggestion, and appointed a representative. On behalf of Indiana, I appointed the Hon. William A. Cullop, of Vincennes, who met the representative of Illinois at the dam, and made a thorough and comprehensive investigation of the subject.

I then addressed a letter to the Secretary of War, in which the Governor of Illinois joined me, inclosing Mr. Cullop's report. July 6, 1895, the construction of two fishways in the Grand Rapids dam was authorized. These are now completed, affording sufficient passage for fish up and down the river, and removing a serious cause for complaint on the part of a large number of our citizens.

#### COMMISSIONER OF FISHERIES.

Again I would call your attention to the defective laws relating to fish, the encouragement of fish culture and the preservation of fish in our streams and lakes. The law now



provides for a State Fish Commissioner, with a salary of \$300 and for expenses, \$500—making a total of \$800. The interest in fish culture and restocking our streams and numerous lakes is increasing in every section of the State. The frequent violations of the law make demands upon the Commissioner that he is unable to meet with the mere pittance afforded him. A salary of \$300 will not permit a competent officer to devote his time to the work as should be. There are ninety-two counties in the State, each calling upon the Commissioner, with but a fraction over \$5 to be apportioned to each county. You should provide this official with means to prosecute his labors, or abolish the office, and make some other provision to carry out the fish laws. The present Fish Commissioner has well performed his duties in so far as the means at his command would permit.

#### GREEN RIVER ISLAND.

There has long been contention as to the boundary line between the States of Indiana and Kentucky, and disputed claims to a tract of land known as Green River Island. When Kentucky, in 1792, became a State of the Union, her northern boundary line was described and extended to low-water mark line on the north bank of the Ohio River, giving to Kentucky the islands in the river. The channel, or chute, on the north side of Green River Island, was doubtless in 1792, and even at the time of the survey in 1806, well defined. But this chute afterward becoming obstructed by drifts and deposits, rapidly filled, until at this time it was difficult to determine, except by slight depression, the ancient meanderings of the river.

The dispute was finally carried into the Supreme Court of the United States, which Court, May 19, 1890, entered a judgment and decree in favor of Kentucky to the disputed territory, extending to the lines established by the survey of 1806, and there the matter rested. It was not easy to settle upon the line as decreed by the Supreme Court, and contentions between the adjacent property-owners often led to personal encounters, and threatening at times bloodshed and loss of life.

The subject became a matter of correspondence between the Governors of Kentucky and Indiana. It was finally agreed

that the Governors of the two States should unite in an appeal to the Supreme Court of the United States for the appointment of a commissioner to establish the line in accord with the decision of the Court. The Governors of Indiana and Kentucky each nominated to the court a commissioner to represent their respective States, and joined in a request to the Secretary of War to nominate to the Court and detail an army officer from the corps of engineers to act in conjunction with the commissioners of Indiana and Kentucky.

On the part of Indiana I nominated Gustavus V. Menzies, of Mt. Vernon. Governor Brown, of Kentucky, on behalf of his State, nominated Gaston M. Alves, and the Secretary of War recommended and detailed Lieutenant-Colonel Amos Stickney, of the United States corps of engineers, all of whom were approved and confirmed by the Supreme Court, October 21, 1895.

The above commission soon after entered upon their labors to run and ascertain the boundary line between the two States. Completing their work, establishing the line at low-water mark along the Indiana shore, according to the survey of 1806, and making report to the Supreme Court, which report was confirmed and approved May 18, 1896.

The Court further ordered and decreed that the boundary line so established should be with all convenient speed permanently marked by the erection of three stone monuments and two iron posts, as described in the report of the commission, and that "said commission be continued for that purpose, to make report thereon to this Court, and that this cause be retained until such report is made." The Court also ordered and decreed "that the compensation and expenses of the commissioners and the expenses attendant on the discharge of their duties up to this time be, and they are here allowed, the sum of \$2,236.60, in accordance with their report, and that said charges and expenses and the costs of this suit to be taxed be equally divided between the parties hereto."

The commissioners report the cost of monuments and posts to be \$600, one-half of which amount will fall to the State of Indiana. It will, therefore, become your duty to make provision for the payment of the part due from Indiana, viz.:

Cost of monument, \$600 (one-half).....	\$300 00
Expense of commission, \$2,236 60 (one half) .....	1,118 80
	<hr/>
Or a total of .....	\$1,418 80

But it became necessary to earlier pay laborers employed in running the line by Mr. C. C. Genung, surveyor of Vanderburgh County, Indiana, for which I drew upon my civil contingent fund to the amount of \$150. Deducting this \$150 from the above sum, leaves \$1,268.30, which I ask you to appropriate.

The costs of this suit to be taxed I am unable to give you, as a statement has not been rendered by the Supreme Court. I believe this annoying contention between Kentucky and Indiana is now happily settled. I would further suggest that \$100 be added to the above amount, to be placed in the hands of Commissioner Menzies, to meet any extra expenses in erecting boundary monuments.

I believe this tract of land, Green River Island, separated from Kentucky, as it is, by the Ohio River, should belong to Indiana. I requested the Governor of Kentucky to submit a proposition for its session to Indiana, but he declined to entertain the suggestion. I am persuaded that it will in the near future be found wise that the transfer be made.

#### EARLY RECORDS.

The near approach of the centennial of the organization of the Indiana Territory makes it appropriate to remind you that in the office of the Secretary of State there is a manuscript volume of great historic value and interest, viz.: the Executive Journal kept during the territorial period. This is of interest, not only to the citizens of this State, but to those of Michigan and Illinois, inasmuch as the Territory of Michigan was not set off from the Indiana Territory until 1805, and the Illinois Territory until 1809. These valuable records should not be lost, and it is not creditable to the great State of Indiana that this volume has for nearly one hundred years remained unpublished. Especially is this true, when our sister States are expending large sums in the preservation of historic documents of less value. This volume should be properly annotated and

indexed by competent persons, and printed. I recommend that this be done under the supervision of the Indiana Historical Society, and that a reasonable appropriation be made for this purpose.

#### CUBA.

While it is true that domestic matters promoting the welfare of the people of the State should seriously engage your attention, and that questions of national policy or foreign or international relations may not properly come within your province, yet there is one subject wholly without the State, but engaging the earnest attention of our people, to which I believe you could fittingly give expression. While you are peacefully assembled here under the benign influences of free government and in the full enjoyment of all that human liberty can bestow, there is a people, our closest neighbors, at this time engaged in a desperate and bloody struggle for freedom, from a brutal and degrading despotism. These struggling patriots are animated with the same ambitions and aspirations that burned within the breasts of our fathers over one hundred years ago. The patriots of Cuba are making a brave and earnest fight for freedom, and appeal to—nay, have the right to hope for and receive our warmest sympathies. Sympathy, even substantial aid, is more due from the American people than from any other on the face of the globe. Almost within the sound of the bell that rung out “liberty throughout all the land to all the inhabitants thereof.”

Almost within the shadow of the stars and stripes, the proud emblem of a nation's freedom, almost breathing the liberty-loving air wafted from our shores, we have aroused in their souls a longing for the blessings which we as a people exult in. Can we turn a deaf ear to their pleadings? Should we not at least comfort and encourage them with words of sympathy? Do we not owe it in justice to ourselves to bid them godspeed in their sacred cause, and express the hope that soon the last vestige of a miserable and effete despotism shall be swept from the Western Hemisphere?

The people of Indiana are brave and generous, and but one generation ago her sons sealed with their blood their sublime

faith in free government and human liberty. It seems to me that their chosen representatives assembled could well give voice to the generous sentiment that pervades the State, through a resolution, requesting our Senators and Representatives in Congress to use their every effort that at least belligerent rights be accorded by our Government to the Cuban patriots.

#### GOVERNOR'S SALARY.

In this, my closing message, I desire to ask your attention to the insufficiency of the salary paid the Governor of the State. Especially is this apparent in comparison with salaries paid to other State officers. The duties of Governor are onerous and exacting. Responsibilities also rest upon the executive that attach to no other official, and especially in the charge of the Constitution that "he shall take care that the laws be faithfully executed." The duties of other officials may be well and clearly defined by law, and their action governed accordingly, but the Governor frequently has duties thrust upon him, and responsibilities to assume, for which there may be no precedent established, and upon which he must be governed by his judgment alone. Besides this, there are expenses to be met, simply through his official position, which can be neither evaded or avoided, if he would. I am aware that this is not the most favorable time for increased salaries of public officials, but as it can not take immediate effect, and will only apply four years hence, when more prosperous times may prevail, I would recommend that the salary of the Governor be made \$7,500 per annum.

#### OTHER SUBJECTS.

This message, because of the numerous matters to present, has become longer than intended, hence I refrain from lengthy reference to some other subjects that should claim your deliberation.

There is need for a law regulating the sale, or offer for sale, of adulterated food. This is the more imperative, since such laws have been adopted by adjoining States. Adulterated goods, often containing ingredients dangerous and prejudicial to health, excluded from other States, Indiana will offer an inviting field to unscrupulous dealers.

A bill will be presented to you, asking for the appointment of a commission to revise our laws relating to municipal corporations, Township Trustees, insurance, etc. There is no doubt that many of the laws relating to these are loose and ineffective. Abuses and evils exist that sadly need correction. There is a general belief that something should be done speedily, and you would serve the public well to apply a remedy, either through a commission to revise, or wise amendment.

During my official term many perplexing questions have arisen, thrusting upon me responsibilities delicate and difficult to determine. It has been my earnest endeavor to perform these duties conscientiously, and to the best of my ability. At all times it has been my constant aim to serve the people faithfully, and in every way that I could, to promote the general welfare of our commonwealth. Appreciating the high and honorable trust confided to my keeping, with a profound feeling of pride in the past history of Indiana, and an unswerving faith in her still grander future, I will, in a few days, retire from this office with but one regret, that I could not have done more to advance the interests of my beloved State. Whatever my future may be, my heart will always be filled with gratitude for the generous support and encouragement given me by the public during my administration. May the spirit of justice, wisdom and mercy of the great Lawgiver of the universe dominate your counsels and guide your action, that your proceedings may be marked with harmony and prudence, and that which you may do may be to the best interests of the people whom you represent.

CLAUDE MATTHEWS.

The Senate having returned to the Senate Chamber, Senator LaFollette delivered a few remarks in warm commendation of Lieutenant-Governor Mortimer Nye, as President of the Senate, and presented him, on behalf of all the members of the Senate, with a valuable testimonial, upon his near retirement from his official position as President of this Senate.

To which Lieutenant-Governor Nye made response in his usual pleasing style.

Senator Duncan moved to adjourn until 2 o'clock.

## FRIDAY AFTERNOON.

JANUARY 8, 1897, 2 o'clock P. M.

Senate convened and called to order by Lieutenant-Governor Nye.

Roll-call for introduction of bills was ordered continued.

Senator Schneck introduced Senate Bill No. 23, entitled :

A bill for an act concerning the education of children, fixing the time during which such children shall attend school, providing the means of furnishing indigent children with clothes and books during such compelled attendance, and for the support of parents dependent upon the labor of such child or children.

Read first time and referred to Committee on Education.

Senator Wood introduced Senate Bill No. 24, entitled :

A bill for an act to amend sections four (4), ten (10), and seventeen (17) of an act entitled an act to establish and maintain the Indiana State Home for Disabled and Destitute Soldiers, Sailors or Marines, and the wives and destitute widows of such soldiers, sailors or marines, and declaring an emergency (approved February 23, 1895); also defining the duties of the surgeon of the Indiana State Soldiers' Home; repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Holler introduced Senate Bill No. 25, entitled as follows :

A bill for an act to repeal section 90 of an act entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency," approved March 6, 1891.

Read first time and referred to Committee on County and Township Business.

Senator Holler introduced Senate Bill No. 26, entitled :

A bill for an act concerning the taxation of real estate encumbered by mortgage, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Holler introduced, by request, Senate Bill No. 27, entitled, as follows :

A bill for an act to protect the people of Indiana, by requiring all persons selling at retail, or compounding for sale at retail, any poisons, etc., to be duly licensed; providing for the establishment and regulation of a Board of Pharmacy and for the maintenance thereof; the time of its examination; providing a penalty for the violation of this act and declaring an emergency.

Read first time and referred to Committee on Health.

Senator Shiveley introduced Senate Bill No. 28, entitled :

A bill for an act to amend section 56 of an act entitled an act to divide the State into Circuits for Judicial purposes, fixing the time for holding courts therein, etc., approved March 6, 1873, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator Shiveley moved that the constitutional rule be suspended, that the bill be read by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were :

Senators Alexander, Ball, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 44.

None voting in the negative.

So the constitutional rules were declared suspended.



The bill was read second time by title, the third time by sections and placed upon its passage.

Those voting in the affirmative were :

Senators Alexander, Ball, Bozeman, Campbell, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hubbell, of Elkhart, presented the following Senate Resolution No. — :

MR. PRESIDENT :

I offer the following resolution :

WHEREAS, During the last four years a large number of competent and trustworthy employes of various departments of the Federal Government, who are honorably discharged veterans of the civil war, have been dismissed from said departments; and,

WHEREAS, Said dismissals are reported to have been made on account of partisan reasons, and without other cause, and that said employes were competent and faithful in the discharge of their duties; therefore,

*Be it resolved by the Senate of the Sixtieth General Assembly of the State of Indiana, That our Senators be instructed, and our Representatives in Congress be requested, to use all honorable efforts in behalf of such legislation by the Congress as will restore to employment and service in the several departments of the Federal Government from which they have been dismissed, all such ex-Union soldiers who may desire to re-enter such*

service, as far as may be possible without displacing any ex-Union soldiers now employed in any such departments. And where, since such dismissal, such employment has been placed in the classified list, such discharged employes shall not be required to comply with the civil service rules and regulations.

HUBBELL.

Which resolution was read and adopted.

Senator Shiveley introduced Senate Bill No. 29, entitled :

A bill for an act to define trusts and conspiracies against trade, declaring the same unlawful and declaring contracts in violation of the provisions of this act void, and making certain acts in violation thereof misdemeanors, and prescribing the punishment therefor, and matters connected therewith.

Read first time and referred to Committee on Judiciary.

Senator Campbell introduced Senate Bill No. 30, entitled :

An act to amend section one (1) of an act entitled an act to amend section one (1) of an act entitled an act to amend section number one (1) of an act entitled an act to amend section number one (1) of an act entitled an act concerning the organization and perpetuity of voluntary associations, approved March 9, 1891, and declaring an emergency, and repealing all laws and parts of laws in conflict therewith, approved March 3, 1893, and declaring an emergency, and repealing all laws and parts of laws in conflict therewith, approved March 8, 1895, and declaring an emergency, and repealing all laws and parts of laws in conflict therewith.

Read first time and referred to Committee on Corporations.

Senator Hogate introduced Senate Bill No. 31, entitled :

A bill for an act concerning the probate of wills.

Which was read the first time and referred to the Committee on Judiciary.

Senator Ball introduced Senate Bill No. 32, entitled:

A bill for an act concerning the appointment of Public Examiner and the examination of public and official accounts.

Which was read the first time and referred to the Committee on County and Township Business.

Senator Bozeman moved that the constitutional rule be suspended, that Senate Bill No. 3 be read the second time by title, considered engrossed, read the third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Duncan, Drummond, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnson of Dearborn, Kerns, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 44.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read the second time by title, considered engrossed, and read the third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act?

Senator Houghton submitted the following:

I move that the title of Senate Bill No. 3 be made to read as follows:

A bill for an act fixing the time for holding the terms of the Circuit Court in the Eleventh Judicial Circuit, repealing all laws in conflict therewith and fixing the time of the taking effect of this act.

Which was adopted.

Senator Sweeney introduced Senate Bill No. 33, entitled:

A bill for an act fixing times for holding court in the Fifty-seventh Judicial Circuit, composed of the counties of Dubois and Pike, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Which was read a first time.

Senator Sweeney moved that the constitutional rule be suspended, that the bill be read a second time by title, the third time by sections and placed upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collette, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Wood Total, 42.

None voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Gochenonr, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hub-

bell, Hugg, Humphreys, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Shea presented Senate Bill No. 34, entitled :

A bill for an act fixing the times of holding courts in the Sixth Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, fixing the time and manner for returning process and repealing all laws in conflict therewith, and declaring an emergency.

Senator Shea moved that the constitutional rule be suspended, that the bill be read the second time by title, considered engrossed, read the third time, and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Bobilya, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnson of Dearborn, Kerns, Leich, McCord, Mull, New, O'Brien, O'Conner, Patten, Phares, Rinear, Rogers, Schenck, Self, Shea, Shiveley, Stroup, Sweeney. Total, 38.

None voting in negative.

So the constitutional rule was suspended.

The bill was read the second time by title, considered engrossed, read a third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Alexander, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Hawkins,

Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnstson of Dearborn, Kerns, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White, Woods. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act?

It was so ordered.

Moved by Senator O'Brien that when the Senate adjourns it be until Monday morning.

Which motion was carried.

Moved by Senator Hawkins that the Senate do now adjourn.

Which motion was carried.

MORTIMER NYE,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## MONDAY MORNING.

JANUARY 11, 1897.

Senate met with Lieutenant-Governor Nye in the chair.

Senator Shiveley moved that at 10:30 A. M. the Senate proceed to the House to meet in joint session to canvass the vote for Governor and Lieutenant Governor.

After reading a portion of the Journal, on motion of Senator Houghton, the further reading of the same was dispensed with.

Senator Bobilya introduced Senate Resolution No. 6:

MR. PRESIDENT:

I move you, sir, that there be ordered printed four thousand copies of the Governor's message for distribution by the Senators; three thousand to be printed in English and one thousand in German.

BOBILYA.

The resolution was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution, to wit:

*Resolved*, That the Senate be requested to attend in the hall of the House of Representatives, at 10:30 A. M., this 11th day of January, 1897, for the purpose of opening and publishing the election returns for Governor and Lieutenant-Governor, held on the first Tuesday after the first Monday in November, 1896, in accordance with the provisions of section four, article five of the Constitution of the State of Indiana, to wit: "The returns of every election for Governor and Lieutenant-Governor shall be sealed up and transmitted to the seat of government, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both houses of the General Assembly."

And the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Clerk.

On motion of Senator Duncan the Senate took a recess until 10:30 A. M.

## JOINT CONVENTION.

At 10:30 o'clock A. M. the Senate, in pursuance of the invitation of the House, proceeded to the hall of the House of Representatives.

Lieutenant-Governor Mortimer Nye assumed the chair and called the joint convention to order and said :

GENTLEMEN—We have assembled in joint convention in compliance with section 4, article V, of the Constitution of the State of Indiana, which reads as follows :

Section 4. In voting for Governor and Lieutenant-Governor the electors shall designate for whom they vote as Governor, and for whom as Lieutenant-Governor. The returns of every election for Governor and Lieutenant-Governor shall be sealed up and transmitted to the seat of Government, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both houses of the General Assembly.

The President of the Senate further said :

The Speaker of the House of Representatives will proceed to open and publish the returns for the election of Governor and Lieutenant-Governor of the State of Indiana.

Whereupon the Honorable Henry C. Pettit, Speaker of the House of Representatives, said :

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES—Pursuant to the fifth article of the Constitution of this State, and as prescribed by the forty-seventh section of an act entitled "An act regulating general elections and prescribing the duties of officers in relation thereto," approved June 7, 1852, I shall now open and publish in the presence of both houses of the General Assembly, the returns of the general election for Governor and Lieutenant-Governor, held on the first Tuesday after the first Monday in November, A. D. 1896, which were sealed up and transmitted to the seat of government and directed to the Speaker of the House of Representatives.

The Speaker of the House of Representatives then, in the presence of both houses of the General Assembly, proceeded to open and publish the returns, to wit :



*Abstract of Votes Cast for Governor and Lieutenant-Governor of  
the State of Indiana November 3, 1896, as Counted and Com-  
pared in the Hall of the House of Representatives in Joint Session.*

Adams . . . . .	3,261	1,595	28	42	17		3,259	1,593	24	41	17	
Allen . . . . .	9,832	8,347	54	67	14	20	9,856	8,342	56	66	14	20
Bartholomew . . . . .	3,180	3,234	12	12	24	2	3,181	3,233	12	13	23	2
Benton . . . . .	1,499	1,977	23	32	8	1	1,509	1,973	22	32	8	1
Blackford . . . . .	2,199	2,134	23	74	43		2,300	2,133	25	74	42	
Boone . . . . .	3,663	3,439	33	118	5		3,663	3,440	31	118	6	
Brown . . . . .	1,390	714	13	62	3	1	1,390	714	13	63	3	
Carroll . . . . .	2,679	2,538	35	49	17	1	2,676	2,538	35	49	17	1
Cass . . . . .	4,745	4,358	60	88	50	1	4,741	4,359	59	89	51	1
CLAY . . . . .	3,763	3,846	21	15	12	6	3,760	3,846	22	15	12	6
Clay . . . . .	4,069	3,778	38	370	30	8	4,069	3,777	39	370	30	8
Clinton . . . . .	3,533	3,582	30	173	59		3,538	3,576	31	173	58	
Crawford . . . . .	1,575	1,479	4	59	2		1,581	1,471	4	59	2	
Davies . . . . .	3,349	3,101	18	407	2		3,347	3,102	17	407	2	
Dearborn . . . . .	3,283	2,681	22	8	6	1	3,287	2,684	23	8	5	1
Decatur . . . . .	2,476	2,839	17	20	31	4	2,478	2,837	17	20	30	4
Dekalb . . . . .	3,572	3,116	34	79	16		3,574	3,110	35	79	16	
Delaware . . . . .	4,136	7,254	54	87	97	17	4,130	7,259	55	88	97	17
Dubois . . . . .	2,907	1,306	2	53	6		2,905	1,304	3	54	5	
Elkhart . . . . .	4,911	6,099	146	61	43	14	4,896	6,105	148	60	46	14
Fayette . . . . .	1,587	2,133	11	6	13		1,587	2,134	11	6	11	
Floyd . . . . .	3,504	3,797	18	12	3	7	3,506	3,794	18	11	3	7
Fountain . . . . .	2,870	2,799	22	106	9		2,875	2,790	23	106	9	
Franklin . . . . .	2,808	1,744	11	13	4	2	2,809	1,743	11	13	1	2
Fulton . . . . .	2,380	2,320	10	16	17		2,378	2,329	10	16	18	
Gibson . . . . .	3,238	3,456	43	344	39	1	3,238	3,458	44	344	39	1
Grant . . . . .	4,914	7,648	130	120	143	9	4,908	7,650	129	130	143	10
Greene . . . . .	2,848	3,411	17	462	15		2,848	3,413	17	459	15	
Hamilton . . . . .	2,832	4,574	45	89	109	1	2,836	4,566	48	88	119	1
Hancock . . . . .	2,798	2,238	21	73	15		2,800	2,225	21	71	14	
Harrison . . . . .	2,724	2,468	24	58	15		2,724	2,467	24	59	15	
Hendricks . . . . .	2,311	3,367	34	78	50		2,311	3,367	34	78	50	
Henry . . . . .	2,824	3,997	61	80	65		2,821	3,995	52	87	65	
Heward . . . . .	2,968	4,174	87	199	69	2	2,966	4,174	116	172	69	2
Huntington . . . . .	3,664	4,096	52	59	75	2	3,653	4,093	52	61	77	2
Jackson . . . . .	3,449	2,626	19	77	6		3,450	2,624	19	77	6	
Jasper . . . . .	1,377	2,016	25	208	16	2	1,376	2,016	25	207	16	2
Jay . . . . .	3,450	3,434	66	174	70		3,453	3,433	66	173	70	
Jefferson . . . . .	2,599	3,598	29	33	5		2,598	3,599	29	34	5	
Jennings . . . . .	1,762	2,023	17	51	14		1,763	2,024	17	51	14	
Johnson . . . . .	2,922	2,277	30	129	55	1	2,916	2,278	29	137	48	1
Knox . . . . .	3,973	3,450	44	322	33	2	3,974	3,448	44	321	33	2
Kosciusko . . . . .	3,321	4,307	41	18	43		3,316	4,316	40	18	45	
Lagrange . . . . .	1,619	2,442	20	34	9		1,619	2,440	20	34	9	
Lake . . . . .	3,352	4,794	40	84	13	4	3,347	4,794	41	85	12	4
Laporte . . . . .	4,475	4,617	26	41	10	4	4,472	4,615	27	41	10	4
Lawrence . . . . .	2,292	3,096	27	98	4		2,292	3,095	27	98	4	
Madison . . . . .	7,334	8,349	86	202	59	3	7,328	8,350	87	204	60	3
Marion . . . . .	20,740	27,167	183	111	69	103	20,746	27,154	166	109	65	102
Marshall . . . . .	3,472	2,987	37	39	25	2	3,471	2,934	37	39	25	2

Abstract of Votes—Continued.

COUNTIES.	FOR GOVERNOR.						FOR LIEUTENANT-GOVERNOR.					
	Benjamin F. Shively.	James A. Mount.	Leander M. Christ.	Thomas Wadsworth.	James G. Kingsbury.	Philip H. Moore.	John C. Lawler.	William S. Haggard.	William Edgerton.	Adam P. Hanna.	Sampson J. North.	Harry C. Sharp.
Martin . . . . .	1,494	1,386	4	205	3	1	1,494	1,396	5	211	3	1
Miami . . . . .	3,504	3,383	88	59	48	1	3,510	3,373	40	59	42	1
Monroe . . . . .	2,302	2,483	26	107	25		2,294	2,483	27	108	28	
Montgomery . . . . .	4,146	4,338	20	43	19	2	4,137	4,374	20	45	21	2
Morgan . . . . .	2,373	2,680	19	35	16		2,370	2,680	20	35	17	
Noble . . . . .	3,041	3,354	29	12	31		3,042	3,351	29	12	31	
Newton . . . . .	1,117	1,531	7	69	18	1	1,115	1,530	7	69	12	1
Ohio . . . . .	626	696		3	1		626	697		3	1	
Orange . . . . .	1,728	2,033	12	60	4		1,732	2,028	13	60	5	
Owen . . . . .	1,892	1,749	12	149	7		1,892	1,750	12	147	7	
Parke . . . . .	2,583	2,829	40	149	53	3	2,585	2,826	40	148	55	3
Perry . . . . .	2,053	2,113	16	40	3	1	2,052	2,113	16	40	3	1
Pike . . . . .	2,421	2,307	12	77	6		2,422	2,306	12	77	6	
Porter . . . . .	1,986	2,796	13	31	8		1,989	2,806	16	31	5	
Posey . . . . .	2,906	2,497	28	162	6	2	2,908	2,496	28	161	5	2
Pulaski . . . . .	1,849	1,345	20	96	18	2	1,851	1,343	20	95	18	2
Putnam . . . . .	3,131	2,611	40	50	21	1	3,127	2,611	39	50	22	1
Randolph . . . . .	2,590	4,647	35	54	51	1	2,593	4,643	35	53	51	1
Ripley . . . . .	2,637	2,682	9	40	5		2,637	2,682	9	40	5	
Rush . . . . .	2,570	2,874	37	10	49		2,571	2,873	37	10	49	
Scott . . . . .	1,220	835	9	6	5		1,219	835	8	6	5	
Shelby . . . . .	3,779	3,195	55	15	100		3,781	3,211	53	16	98	
Spencer . . . . .	2,697	3,014	8	23	7	1	2,696	3,015	8	23	7	1
Starke . . . . .	1,190	1,272	8	8	10	1	1,186	1,273	8	8	10	1
St. Joseph . . . . .	6,167	7,011	55	65	33	2	6,131	7,013	56	60	30	2
Steuben . . . . .	1,591	2,652	48	58	30	1	1,590	2,652	48	58	30	1
Sullivan . . . . .	3,580	2,290	41	417	35		3,579	2,290	40	413	35	
Switzerland . . . . .	1,719	1,628	3	5	2		1,718	1,629	3	5	2	
Tippecanoe . . . . .	4,603	6,172	61	29	16	2	4,619	6,156	62	33	14	1
Tipton . . . . .	2,487	2,268	19	309	32	3	2,486	2,269	18	309	31	3
Union . . . . .	907	1,112	15	4	17		909	1,112	14	4	17	
Vanderburgh . . . . .	6,967	7,945	24	173	4	36	6,944	7,966	25	174	4	35
Vermillion . . . . .	1,446	2,131	12	27	32		1,776	2,129	14	27	22	
Vigo . . . . .	7,389	7,917	44	166	11	8	7,386	7,909	47	169	11	8
Wabash . . . . .	2,805	4,275	57	72	34	1	2,801	4,269	52	72	35	1
Warren . . . . .	1,066	2,010	11	24	9		1,065	2,008	11	24	9	1
Warriek . . . . .	2,655	2,460	12	230	8	1	2,550	2,461	13	231	8	1
Washington . . . . .	2,491	2,193	12	111	2		2,490	2,191	12	113	2	
Wayne . . . . .	3,968	6,757	69	66	69	3	3,961	6,754	66	67	69	3
Wells . . . . .	3,537	2,199	46	155	45	2	3,535	2,196	46	158	45	2
White . . . . .	2,433	2,361	35	99	26		2,422	2,361	36	100	26	
Whitley . . . . .	2,465	2,230	21	12	29		2,464	2,231	21	12	29	
Totals . . . . .	294,855	320,932	2,997	8,636	2,500	283	294,717	320,887	3,065	8,636	2,485	296
Plurality . . . . .		26,077						26,170				

RECAPITULATION.

Shiveley . . . . .	294,855	Lawler . . . . .	294,717
Mount . . . . .	320,932	Haggard . . . . .	320,887
Christ . . . . .	2,997	Edgerton . . . . .	3,065
Wadsworth . . . . .	8,636	Hanna . . . . .	8,636
Kingsbury . . . . .	2,500	North . . . . .	2,485
Moore . . . . .	283	Sharp . . . . .	293
Mount's plurality . . . . .	26,077	Haggard's plurality . . . . .	26,170

Whereupon after canvassing and comparing said returns it was determined that for the office of Governor, Benjamin F. Shively, of St. Joseph County, received 294,855 votes.

James. A. Mount, of Montgomery County, received 320,932 votes.

Leander M. Christ, of Boone County, received 2,997 votes.

Thomas Wadsworth, of Daviess County, received 8,626 votes.

James G. Kingsbury, of .....County, received 2,500.

Philip H. Moore, of .....County, received 283 votes.

It appearing that James A. Mount having received the highest number of votes cast for Governor, was by the President of the Senate, in the presence of both houses of the General Assembly of the State of Indiana, declared duly elected to the office of Governor of the State of Indiana, to serve as such for the term of four years from and after the second Monday in January, A. D. 1897.

That for the office of Lieutenant Governor:

John. C. Lawler, of .....County, received 294-717 votes.

William S. Haggard, of Tippecanoe County, received 320-887 votes.

William Edgerton, of .....County, received 3,065 votes.

Adam P. Hanna, of .....County, received 8,636 votes.

Sampson J. North, of .....County, received 2,485 votes.

Harry C. Sharp, of .....County, received 296 votes.

It appearing that William S. Haggard had received the highest number of votes cast, was by the President of the Senate, in the presence of both houses of the General Assembly, declared duly elected to the office of Lieutenant-Governor of the State of Indiana for the term of four years, commencing on the second Monday in January, A. D. 1897.

Senate was called to order at 10:45 A. M. by Lieutenant-Governor Mortimer Nye.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Engrossed House Bill No. 1, entitled a bill for an act appropriating one hundred thousand dollars to defray the expenses of the Sixtieth General Assembly, and declaring an emergency, and the same is herewith transmitted to the Senate.

B. H. PRATHER,

Clerk.

Senator Houghton called up House Bill No. 1.

Read first time by title.

Senator Houghton moved that the constitutional rules be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being on the suspension of the rules.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Shiveley, Stroup, Sweeney, White, Watson, Wood. Total, 44.

None voting in the negative.

The constitutional rule was suspended.

The bill was read a second time by title.

Senator LaFollette offered the following amendment No. 1:

I move to amend the bill by changing the words "one hundred thousand" to "one hundred and five thousand."

Amendment carried.

Bill read third time as amended by sections, and placed upon its passage.

The question being, Shall the bill as amended pass?

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 46.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Ellison offered the following amendment :

I move to amend the title of House Bill No. 1 by substituting the words "one hundred and five thousand" for the words "one hundred thousand."

Which amendment was carried.

At 12:05 P M. Lieutenant-Governor Nye in the presence of the Senate and the members of the House called Lieutenant-Governor-elect, W. S. Haggard, to the chair.

Prayer was offered by Dr. J. J. Ellison.

The oath of office was administered to the Lieutenant-Governor-elect by Judge Monks of the Supreme Court.

The following is the inaugural address of Lieutenant-Governor W. S. Haggard.

*Gentlemen of the Senate and House of Representatives of the State of Indiana, and Ladies and Gentlemen :*

On entering upon the duties of the office of Lieutenant-Governor I am deeply conscious of the responsibility I am to assume.

The Constitution imposes upon the Lieutenant-Governor the duty of presiding over the Senate.

He has little else to do. He has no vote, except in a case of a tie, and can only participate in a debate when the Senate is in the committee of the whole.

The Lieutenant-Governor is not expected to air his views on measures of legislation. He may be filled with very good ideas of what ought to be done to advance the interests of the State, but custom has closed his mouth, and requires that he shall confine himself simply to the observance (as far as he may comprehend them) of the settled rules of parliamentary bodies as they may apply to the transaction of the business of the Senate.

At the risk, however, of subjecting myself to criticism for having broken a line of precedents, I will venture to suggest that the principle of this General Assembly will be to ascertain whether the State's business has been well managed during the past two years, and whether some improvements might not be made in the direction of better service on the part of public officers, and greater economy in the expenditure of public funds.

The subject of taxation is of vital concern to the people. Appropriations for the State's institutions should be made only with a view to enable them to better carry out the purposes for which they were established.

The value of the State's property in institution buildings runs into the millions, and that policy which fails to comprehend the necessity of providing sufficient money to protect and preserve such property is unbusiness like and is not true economy. But as this may not be the time nor the occasion for the discussion of such questions at length, I will conclude by promising that I will endeavor to discharge the duties of President of the Senate to the best of my ability, with impartiality and fairness to all, relying upon the indulgence of the Senators to excuse mistakes and errors which I am likely to make from time to time.

And if, when I shall have laid down the gavel at the end of my term, I shall have won the friendship and esteem of my associates in as great a measure as has been done by my distinguished predecessor, Lieutenant Governor Nye, and shall have discharged the duties of this office to the satisfaction and approval of the people of the State, I will be satisfied.

The following motion was made by Senator Shiveley :

I am informed that the hour has now arrived for the inauguration of the Governor-elect of the State of Indiana.

Therefore I move you that the Senate now adjourn, and all those assembled here proceed to the place designated for the inaugural ceremonies in the following order:

*First.* The Governor and the Governor-elect.

*Second.* The Lientenant-Governor and the Ex-Lieutenant-Governor.

*Third.* The Supreme and Appellate Judges.

*Fourth.* The State officers.

*Fifth.* The Speaker and members of the House of Representatives.

*Sixth.* The President *pro tem.* of the Senate and the members of the Senate.

Which motion carried.

Whereupon the Assembly adjourned to the rotunda of the Capitol (the place designated for the inauguration of the Governor), where the oath of office was administered to James A. Mount, the Governor-elect, by Judge Jos. H. Jordan of the Supreme Court. Governor Mount then delivered the following

## INAUGURAL ADDRESS.

*Gentlemen of the Senate and House of Representatives:*

In taking the oath of office prescribed by the Constitution of the State and entering upon the discharge of its obligations, I am not unmindful of the grave responsibilities and arduous duties thereby entailed.

With a profound sense of gratitude to the people of our great commonwealth who, by their suffrages, have called me to this high station of honor and trust, it shall be my constant endeavor to so administer the affairs of State as to promote the best interests of all our people.

It is made my duty, in obedience to the Constitution, to enforce the laws. Gentlemen of the Legislature, into your hands

is committed the high responsibility of making laws. The results of your labors will be far-reaching. He who prevents the passage of unwise laws is entitled to equal credit with the author of good laws.

Conflicting interests will arise, urgent claims will be presented, the disposition of which will require mature thought, careful consideration and unbiased action.

Some of these interests will be represented by men who are skilled in all the details of legislation; men who are persuasive of speech and trained in diplomacy; men whose influence will be a potent factor in the passage or defeat of measures receiving their support or their opposition. These influences are powerful factors for good so long as they are enlisted in a worthy cause, but become pernicious when used for defeating wise measures, or securing class legislation against the public weal. Such influences are becoming more and more powerful in controlling State and National legislation, and are coming to be a menace to free government. Corporations, trusts and combinations, through lobbyists, are able to look after their interests, while the mechanic, the farmer, the miner, the business man and the day laborer have no one outside the members of the legislative body to exert influence in their behalf.

To your wisdom and to your sense of justice is committed the right and power to enact laws that shall advance the best interests of all the people. The time allotted for this important work is short. The prevailing disposition among Representatives is to multiply, rather than digest, bills. The multiplicity of bills frequently results in the defeat of meritorious measures.

Laws should be founded upon principles of interdependence of all our industries, business interests, pursuits, callings and relations of capital and labor—of employer and employe. It is of the utmost importance that an understanding of this interdependence be inculcated, be comprehended and be acted upon.

He who engenders strife, arouses hatred or creates discord is planting the seeds of revolution.



Laws that tend to conciliate, that seek amicable adjustment of differences, that facilitate harmony and concord, will strengthen the bonds of union.

The student of labor statistics and labor troubles has witnessed the loss sustained by employe and employer while adjusting their differences. This is one of the grave problems of the day. The interdependence of capital and labor, of employer and employe, should be the foundation of law and the underlying principle of action governing these interests. Actuated by such principles as will lead to peaceful arbitration, we may hope for the time when the rights of labor shall be accorded without strikes and the protection of property secured without soldiers.

#### BUILDING AND LOAN ASSOCIATIONS.

These organizations should be held to such strict accountability by law as will insure a better guarantee of safety to the money entrusted to their care. At the same time you must not be unmindful of the fact that these associations have, in many instances, been helpful to the common people in enabling them to purchase and build homes. Therefore, in correcting defects, your acts should not prove destructive to what, under proper safeguards, may be a beneficent institution.

#### EDUCATION.

Article 8, section 1, of the Constitution, says :

“ Knowledge and learning, generally diffused throughout a community, being essential to free government, it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific and agricultural improvement, and to provide, by law, for a general and uniform system of common schools, wherein tuition shall be without charge and equally open to all.”

The education of the masses is declared essential to free government. In compliance with the wisdom of this provision, we should look to the enactment of a mild compulsory education law.

Moral restraints are urged as needful to our good. In this age of research and investigation the ability to understand and apply science becomes a necessity to progress. The Indiana Academy of Science is to be commended for and encouraged in its good work.

The agricultural improvement contemplated in the Constitution is of much importance at this time. The questions of soil fertility, combatting infectious diseases and insect pests, fungus growth, the science of breeding, of feeding, of marketing, the law of supply and demand, with many kindred questions, upon a better understanding of which, in large measure, depends the future success of the farmer and fruit grower.

The farm institutes, now being held in the different States, are the most direct and practical means of imparting to the farmer this needed information. The amount appropriated for this work in Indiana is less than half the average allowed in the States carrying forward this work. Under the economical and wise management of our institutes it is generally conceded that Indiana, for the amount expended, is conducting the best institutes and holding more of them than any other State in the Union.

#### LIVE STOCK SANITARY LAWS.

The total value of live stock in Indiana April 1, 1896, was more than \$75,000,000. The loss entailed from disease during the year exceeded \$5,000,000. The swine breeders lost in numbers over 580,000 head of hogs, the value of which exceeded \$3,000,000. For stamping out contagious diseases Massachusetts appropriates \$150,000; Pennsylvania, \$90,000; Illinois, \$40,000, and New York is now asking for \$300,000. The allowance in our State is but \$4,000. The present law is not wise in its provisions for the expenditure of this amount. The outlay is too great for the gain to have the veterinarian attended in his visits by the board, each man drawing his per diem of \$4 and expenses. The amount thus expended has been far in excess of the value of condemned stock killed. The Veterinary Department of our Experiment Station has all the facilities for studying animal diseases, and is doing much for the live stock interests of the State in the dissemination of needed information. The Veterinarian of Purdue is sending to the

farmers, through the station, bulletins and other printed matter, hundreds of thousands of pages of valuable instructions on how to prevent and how to treat these diseases. The law should give the State the power to select the most competent man available. Upon his judgment should depend the killing of animals. He could call and qualify competent men to assess values at less cost for such services than the law now provides.

#### HIGHWAY IMPROVEMENT.

Good roads are essential to our highest development socially, intellectually and financially. Many counties in our State, actuated by a commendable spirit of progress, are rapidly improving the highways. In the near future some of our counties will have a complete system of free gravel roads. The main thoroughfares in these counties, having been graveled and received by the County Commissioners, are kept in repair at the county's expense. The Supervisor, being thus relieved from care of the main thoroughfares, is enabled to concentrate the labor and tax at his disposal upon the lateral roads; hence all will soon be improved. The economy in road improvement will soon be demonstrated by the fact that the counties having the best roads will maintain them at less cost than the mud roads, with all their inconveniences, are maintained in their wretched condition. The work required by law of able-bodied men, together with the road tax, gives to the road supervisors of our State the expenditure, in money and labor, of a vast sum. Much of this is wasted by reason of incompetent management. The railroad tax for highway improvement, in some road districts of our State, is so manipulated by the road supervisor that the money inures more to his benefit than the improvement of the thoroughfares. In some instances in our State a brokerage business is carried on, and money is made out of trafficking in this road tax.

While some of our road laws need reforming, the manner of their execution needs revolution. When competence is made the test in selecting supervisors, and taxpayers see that they discharge their duties, we will find some improvement in our highways without additional tax.

**COUNTY COMMISSIONERS AND TOWNSHIP TRUSTEES.**

These officials have large discretionary powers under the law. They should be held to rigid account through printed reports of allowances and expenditures of public money, and the publication of these reports, as prescribed by law, should be made mandatory.

**STATE TAX.**

The Constitution provides that "taxation shall be equal and uniform throughout the State." This clearly implies that all property shall bear its just proportion of the burden. It is no uncommon thing in the settlement of decedents' estates to find thousands of dollars in deposits, notes, shares of stock and policies that were not listed for taxation. Real estate can not be secreted, and, with no exemption on account of mortgage or other debt, he who owns real estate is subjected to the payment of an undue proportion of the taxes.

The tax law should be as searching as possible, and the Township and County Assessors and the State Tax Commissioners should see that the law is enforced.

**APPORTIONMENT LAW.**

The spirit of the Constitution recognizes the equality of all men before the law; that they are entitled to equal representation and an equal voice in selecting their representatives. It is to be hoped and confidently expected of this General Assembly that it will enact a law apportioning the Congressional, Senatorial and Representative districts that will reflect honor and credit upon those enacting it, and in a manner that will give the electors their constitutional rights.

**CENTENNIAL CELEBRATION OF TERRITORIAL ORGANIZATION.**

The committee provided for by the last General Assembly, with instructions to report to this honorable body, are entitled to much credit for their faithful service. They have manifested a laudable State pride which is reciprocated by the progressive people of our State. If this centennial is to be observed, their plans possess much merit. The prevailing opinion,

however, is that any exposition that would be creditable to our State will necessitate a vast expenditure of money. A celebration conducted with a limited expenditure, following so soon after the World's Columbian Exposition, would be attended with failure, and would reflect discredit upon our State. The advisability of the observance, then, hinges upon the wisdom of expending a sufficient sum of money to insure success, and the ability of the State to bear such expenditure. Any great outlay of money at this time must augment our already heavy State debt and add to the burden of taxation. The best service that can be rendered our State, both as to its credit and honor and the welfare of our people, is the adoption of a system of economy that will reduce our debt and lower the rate of taxation.

#### INSURANCE LAWS.

The present rate of insurance is burdensome. Too great a sum of money is leaving our State in premiums for the amount returned in loss on policies. Recent examination of the State Auditor's books shows that since 1873 there has been paid out over \$53,000,000, while there has been paid back to policy holders but a little over \$28,000,000. These reports indicate a loss to policy holders of \$25,000,000. It matters but little whether this immense sum of twenty-five millions of dollars was in profits or in extravagant salaries, the loss to our people and State is too excessive. All unnecessary barriers to home companies should be removed, especially the 10 per cent. penalty assessed against home companies for the lapse of each sixty days from loss until payment. The organization of home companies should be encouraged. The present excessive rates of insurance are driving the farmers into the organization of home mutual companies, as provided by the Acts of 1881. Millions of dollars of farm property is thus being insured at low cost, with the money kept at home.

#### TRUSTS AND COMBINATIONS.

Trusts or combinations of capital formed for the purpose of counteracting the law of supply and demand and with a view to arbitrarily controlling, manipulating or increasing the prices of any product, commodity or article of merchandise, should be declared a barrier to trade, and should be prohibited by law.

## PUBLIC HEALTH.

Pure food and strict sanitary regulations are needful to life and health. Therefore, laws to this end should receive your vigilant care.

## ELECTION LAWS.

The purity of the ballot will determine the existence of any free government. To every voter should be granted his untrammelled rights, both in convention and at the polls. The choice of nominating conventions should not be subjected to traffic, barter and change at the behest of a committee of party tricksters.

## THE SOLDIERS' AND SAILORS' ORPHANS' HOME.

## THE STATE SOLDIERS' HOME.

These still appeal to our sympathy and patriotism. Indiana is justly proud of her soldiers and sailors. The most imposing monument ever erected to the memory and patriotism of brave men stands in Monument Place, in our beautiful capital city. It is a lasting testimonial of the veneration of the people of our great commonwealth for her soldiers, living or dead.

“To care for him who has borne the battle, and to provide for his widow and orphans,” is a part of the unfinished work committed to a patriotic people by the immortal Lincoln.

## PENAL INSTITUTIONS.

The Constitution provides that “the Penal Code shall be founded on the principles of reform, and not vindictive justice.” For the carrying out of this provision a merit system should be established in our prisons, and the inmates put upon their honor and manhood and graded accordingly. But few of those inmates are so hardened by crime that there does not remain some spark of manhood, and an appeal to this, accompanied by hope of reward, may prove to be an inducement to him to seek to regain his lost estate.

**REFORMATORIES.**

These appeal earnestly to our sympathies. At the earliest convenient period the Girls' Reformatory should be disconnected from the Woman's Prison. The close proximity of the two brings the Reformatory in touch with environments that tend to undermine reform influences.

**BENEVOLENT AND CHARITABLE INSTITUTIONS.**

These great institutions stand as monuments to the principles of love and beneficence. The unfortunate wards of our great State within their walls are entitled to our fostering care.

**STATE BOARD OF CHARITIES.**

I must not refrain from some words of commendation of the Board for its noble services. The estimable ladies and gentlemen composing this Board have given their time and their energies to promoting the best interests of our charitable, reformatory and penal institutions. The suggestions of this Board are worthy of consideration. While the State expects such laws, rules and regulations as tend to strict economy, yet our people desire such liberality as will provide for the comfort and care of her unfortunate wards. The spirit of our people demands that those in control of our charitable, reformatory and penal institutions, from the highest to the lowest, be selected with reference to competency and fitness of character rather than party affiliation, to the end that the State shall be honored in the management of her institutions.

**IN CONCLUSION.**

Gentlemen, I trust you will meet the pressing duties before you bravely, fearlessly and yet with wisdom and patriotism. May your deliberations be mutually pleasant and harmonious and your speech and acts be tempered with moderation. Humbly do I pray that God's gracious presence may abide with us as a people, and that the light of his unerring counsel may guide you in your work so that the results of your

legislation shall contribute to the development and prosperity of our great State. May your deeds be such that the smiles of an approving conscience shall abide with you, and the benedictions of a grateful people be showered upon you in thankful acknowledgment of duties faithfully performed.

Senate was called to order at 2 p. m. by Lieutenant Governor Haggard.

Senator Hubbell, of Elkhart, moved that the Senate do now adjourn until to-morrow morning.

Which motion was carried.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## TUESDAY MORNING.

JANUARY 12, 1897.

The Senate convened at 10 o'clock a. m., Lieutenant-Governor Haggard in the chair.

The Chair announced the standing committees of the Senate, which were as follows:

*On Finance.*—Senators Mull, Hogate, Holler, Self, Leich, Bobilya and Rinear.

*On Judiciary.*—Senators Newby, Hubbell, Shiveley, Wood, Early, Watson, Houghton, Ellison and Drummond.

*On Education.*—Senators Duncan, Hubbell, Goodwine, Houghton, Early, Shea and Horner.

*On Organization of Courts.*—Senators Shiveley, LaFollette, Ball, Hawkins, O'Brien, Alexander and Shea.

*On Corporations.*—Senators Hubbell, McCord, Wood, Hawkins, Houghton, Drummond and Sweeney.

*On Roads.*—Senators Schneck, Holler, Bozeman, O'Brien, Kerns, Ellison, Patten and Rogers.



*On Benevolent Institutions.*—Senators Collett, White, Shiveley, Wood, Gochenour, Rinear and Ellison.

*On Agriculture.*—Senators Kerns, Holler, Schneck, Gill, Collett, Patten and Rogers.

*On Banks.*—Senators Bezeman, Mull, Schneck, Leich, Goodwine, Bobilya and Rinear.

*On Public Printing.*—Senators Phares, Self, Hogate, Hawkins, Hubbell, Sweeney and Johnston of Dearborn.

*On Public Buildings and State Library.*—Senators Self, McCord, O'Brien, Gostlin, Newby, Hawkins, Hogate, Wood, Humphreys and Johnston of Dearborn.

*On Elections.*—Senators Gostlin, Newby, Hawkins, Wood, Humphreys and Johnston of Dearborn.

*On Federal Relations and Rights and Privileges of the State.*—Senators O'Brien, Ball, Newby, Shiveley, McCord, Horner and Shea.

*On Temperance.*—Senators New, Leich, Wood, Ball, Bozeman, Campbell and Humphreys.

*On County and Township Business.*—Senators Gilbert, O'Brien, New, Duncan, Gochenour, Shea and Rinear.

*On Public Health, Vital and Other Statistics.*—Senators Goar, White, Bethell, Goodwine, Gochenour, Nusbaum and Gill.

*On Claims and Expenditures.*—Senators Hugg, Gilbert, Phares, Watson, Mull, Shea and Humphreys.

*On Military Affairs.*—Senators White, Leich, Gilbert, Gochenour, Rinear, Humphreys and Johnston, of Dearborn.

*On Phraseology and Arrangement of Bills and Unfinished Business.*—Senators Ball, Hogate, McCord, Hubbell, Hugg, Stroup and Drummond.

*On State Prisons.*—Senators Holler, Duncan, Watson, Early, New, Ellison and Shea.

*On Swamp Lands and Drains.*—Senators Holler, Gostlin, Bethell, Gochenour, Gilbert, Campbell and Stroup.

*On Fees and Salaries.*—Senators Wood, Duncan, O'Brien, Gilbert, Hubbell, Johnson of Madison, Hawkins, Hogate, Leich, Campbell, Stroup, Johnston of Dearborn and Sweeney.

*On Insurance.*—Senators LaFollette, McCord, Self, Wood, Duncan, Shea and Nusbaum.

*On Railroads*—Senators Watson, Early, Houghton, Wood, Hubbell, Rinear and Nusbaum.

*On City of Indianapolis.*—Senators New, Hugg, Hawkins, Gostlin, Watson, Rinear and Humphreys.

*On Natural Gas.*—Senators Johnson of Madison, Ball, LaFollette, Newby, Goar, Gill and Campbell.

*On Revision of Constitution.*—Senators Early, Hawkins, Shiveley, Hogate, LaFollette, Drummond and Shea.

*On Mines, Mining and Manufactures.*—Senators McCord, Schneck, Duncan, Ball, Hugg, Sweeney and Humphreys.

*On Congressional Apportionment.*—Senators Hogate, Self, Phares, Gilbert, Ball, White, Collett, Hugg, Schneck, Alexander, Sweeney, Bobilya and Gill.

*On Legislative Apportionment.*—Senators Hawkins, LaFollette, Hogate, Houghton, Bozeman, Schneck, Wood, Hubbell, Watson, Alexander, Nusbaum, Gochenour and Campbell.

*On Supervision and Inspection of the Journal of the Senate.*—Senators Ball, Gilbert, Bethell, Duncan, Hugg, Stroup and Sweeney.

*On Executive Apportionments.*—Senators Gochenour, Early, Gostlin, New, White, Campbell and Horner.

*On Cities and Towns.*—Senators Houghton, Ball, Johnson, McCord, Duncan, Bobilya and Stroup.

*On Labor and Labor Statistics.*—Senators Bethell, Schneck, Ball, Goar, Goodwine, Gill and Johnston.

*On Rules of the Senate*—Lieutenant Governor *ex-officio*, Senators Watson, Duncan, Early, LaFollette, Ball, Alexander and Sweeney.

*On Soldiers' and Sailors' Monument.*—Senators Leich, Duncan, Self, Bozemen, Gochenour, Johnson, Humphreys.

## JOINT COMMITTEES.

*On Enrolled Bills.*—Senators Ball, Self, Sweeney.

*On Public Buildings.*—Senators Goodwine, Collett, Nusbaum.

*On State Library.*—Senators Bethell, McCord, O'Conner.

Which report was concurred in by the Senate.

The Lieutenant-Governor presented the following communication to the Senate:

I hereby appoint Will. H. Ford, Paul Winnings and Harry Carter as pages this January 11, 1897.

W. S. HAGGARD,  
Lieutenant-Governor.

Senator LaFollette moved that the appointment of the Standing Committee on Judiciary be referred to the Committee on Rules.

Motion carried.

After reading a portion of the Journal of January 11, on motion of Senator Collett, the further reading of the Journal was dispensed with.

Senator Sweeney asked for leave of absence for Senator Stroup, which was granted.

Senator Drummond asked for leave of absence for Senator Shea, which was granted.

The Chair announced that the roll would now be called for the presentation of petitions, memorials and remonstrances.

Senator Phares introduced the following Senate Resolution No. 7:

MR. PRESIDENT:

I move the adoption of the following resolution:

*Resolved*, That we extend to patriotic Cubans our profoundest sympathy in their heroic efforts to shake off the grinding despotism of Spanish tyranny, and that we ask the President and

Congress of the United States to adopt such firm, peaceful measures as will tend to stop the war of butchery now carried on in the island of Cuba by Spanish assassins, and secure, if possible, Cuban independence.

PHARES.

Which resolution was read and referred to the Committee on Federal Relations.

Senator Gilbert introduced the following Senate Resolution No. 8:

WHEREAS, Civil war has existed upon the island of Cuba for nearly two years; and

WHEREAS, The press reports of the same indicate that upon the part of Spain the Cubans have been the subject of many atrocities, and women and children been ruthlessly assaulted, tortured and murdered; and

WHEREAS, By reason of such war, the lives and property of many citizens of the United States are in peril; therefore, be it

*Resolved by the Senate of the State of Indiana, That our Senators and Representatives in Congress be requested to urge an immediate investigation, to ascertain the truth concerning such reports, and, if found to be true, to favor the granting of belligerent rights to the Cubans, and the taking of such action by Congress, as shall bring about an immediate cessation of such inhumanities and barbarities.*

Read and referred to Committee on Federal Relations.

Senator Ellison raised a point of order as to the introduction of resolutions under the call for petitions, memorials and remonstrances.

Which point was not well taken.

Senator Patten introduced Senate Concurrent Resolution No. 1:

WHEREAS, It is an inherent right in every human being to be free and independent, enjoying all the privileges which a merciful God has given him; and,

WHEREAS, The American people view with pleasure the Constitution of republic based on stated laws, pure governmental functions and social equality; and,

WHEREAS, The people of the island of Cuba have thrown off the yoke of the Spanish monarchy and determined to establish a free and independent republic, based on wise laws and republican ideas; and,

WHEREAS, In one year and a half of strife in which they have been pitted against the largest and best equipped army that Spain has produced, they have managed to hold their own, defeating their enemies and observing in their conduct of the war all those laws which humanity and civilized warfare impose on the warring factions; therefore, be it

*Resolved*, That the General Assembly of the State of Indiana hereby extends its heartfelt sympathy to the struggling republic for the heroic struggle they are now engaged in, it hereby urges its Representatives in Congress to aid and support such measures as will lead to the granting of belligerent rights to the rising republic, whose deeds in the last year and a half have proven to be composed of brave, true and loyal patriots.

That a copy of these resolutions be sent to the Representatives and Senators of Indiana in Congress, and also to the Secretary of State and the President of the United States.

Read in Senate and referred to Committee on Federal Relations.

Senator Hawkins offered Senate Concurrent Resolution No. 2, as follows:

WHEREAS, The attention of the General Assembly of the State of Indiana has been called to the fact that there now exists in the United States postal service three classes of employes, viz.: Railway postal clerks, carriers and post-office clerks; and,

WHEREAS, It also appears that two classes of such employes, to wit, the railway postal clerks and the carriers, have been duly classified and provided for, and their salaries and compensation fixed according to character of service performed and time of employment in such service, and their respective ranks and duties fixed; and,

WHEREAS, No such classification has ever been made of the post-office clerks, and no fixed compensation is given for work of any particular class or for any definite number of hours constituting a day's work; and,

WHEREAS, There exists no law by which length of service or qualifications of such employes is properly recognized, no classification is made for the just and proper advancement or promotion of such employes; and

WHEREAS, Attention has been called to the fact that there is now pending before the Congress of the United States a bill introduced by the Hon. N. D. Sperry, of Connecticut, entitled "A bill for the classification of clerks in the first and second class postoffices, and fixing the salaries of the same," known as House Bill No. 3273, which bill has been approved by the Honorable Postmaster-General, and has been favorably reported by unanimous vote of the House Committee on Post Offices and and Post Roads; and

WHEREAS, The passage of said bill will not only ameliorate the condition of worthy employes and clerks of the postal service, but will also, by a scientific classification, furnish a remedy for existing evils, and will properly designate each employe in the department in which he works and clearly define his duties and fix the salaries that will be received for certain classes of work and furnish an incentive to better work and service by rewarding merit, and thereby be of advantage to the general public, and since the passage of said bill will require no additional appropriation to place the same in operation, therefore

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring, That the Senators and the Representatives of the State of Indiana in the National Congress, be requested to favor and assist in securing an early day for its consideration, and to use every honorable effort to secure the passage of the aforesaid House Bill No. 3273. Be it also further*

*Resolved, That a copy of this resolution be forwarded to each of the Senators and Congressmen from Indiana in the National Congress.*

Read first time and referred to Committee on Federal Relations.

Senator Mull presented the following communication, by request:

*To the Senators and Members of the House of Representatives of the General Assembly of the State of Indiana:*

GENTLEMEN—At a regular meeting of the Women's Club of Greenfield, Indiana, held on the 4th day of January, 1897, the following resolutions were adopted:

*First. Resolved,* That the members of this club are in favor of compulsory education, that we favor the enactment of such legislation by the General Assembly of the State of Indiana, as will compel the attendance at the common schools of the State, of all children of proper school age, and we pledge ourselves to do everything in our power to secure the enactment of such legislation.

*Second. Resolved,* That a copy of these resolutions be transmitted to the Senate and House of Representatives by the Secretary of this club.

LOLA O. BRAGG,  
President.

IDA STEELE,  
Secretary.

Read and referred to the Committee on Education.

The Chair announced the roll-call for the introduction of bills.

Senator Bobilya introduced Senate Bill No. 35, entitled:

A bill for an act making it unlawful to dock and clip horses, declaring the same to be a misdemeanor, and providing penalties for violation thereof.

Read the first time and referred to Committee on Agriculture.

Senator Bobilya introduced Senate Bill No. 36, entitled:

A bill for an act to prevent the destruction of quail, ruffed grouse and pinnated grouse.

Read first time and referred to Committee on Agriculture.

Senator Bozeman introduced Senate Bill No. 37, entitled:

A bill for an act to prevent the spread of diseases among swine.

Which was read a first time and referred to the Committee on Agriculture.

Senator Collett introduced, by request, Senate Bill No. 38, entitled:

A bill for an act to prohibit the destruction of certain wild game within the State, between the first day of January and the first day of October of each year.

Read the first time and referred to the Committee on Judiciary.

Senator Early introduced Senate Bill No. 39, entitled:

A bill for an act providing for the maintenance of levees and flood gates when constructed under specified conditions, and declaring an emergency.

Read the first time and referred to the Committee on Swamps and Drains.

Senator Ellison offered Senate Bill No. 40, entitled:

A bill for an act to amend an act entitled an act to amend sections 117, 119, 121, 122, 123, 124, 126, 127, 129, 130, 131 and 132 of an act entitled "An act concerning the corporation and government of cities having more than thirty-five thousand (35,000) and less than forty-nine thousand (49,000) inhabitants (population) according to the last preceding United States census and matters connected therewith, and to revise all laws and parts of laws relating to the levying and collecting of school and library tax and that were repealed by said sections herein amended."

Read first time and referred to the Committee on Education.



Senator Gilbert introduced Senate Bill No. 41, entitled :

A bill for an act compelling the attendance at school of children of certain ages, prohibiting their employment under certain conditions and providing penalties for the violation of its provisions.

Read the first time and referred to the Committee on Education.

Senator Gilbert introduced Senate Bill No. 42, entitled :

A bill for an act to prohibit the formation of trusts and trust combinations, to prohibit the carrying into effect of any such agreement, prescribing penalties for a violation of the provisions of this act, repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Senator Gostlin introduced Senate Bill No. 43, entitled :

A bill for an act to legalize the incorporation of the town of Lowell, in the county of Lake and the State of Indiana, the election and qualification of the Boards of Trustees and the officers thereof, and all acts, ordinances, orders, by-laws, resolutions, contracts, minutes and proceedings of the Boards of Trustees of said town and declaring an emergency.

Read the first time and referred to Committee on Cities and Towns.

Senator Gostlin introduced Senate Bill No. 44, entitled :

A bill for an act to legalize the incorporation of the town of Whiting, in Lake County, Indiana, and all annexations of territory thereto, the election and qualification of the present acting Board of Trustees thereof, and all its present acting officers, and all acts and proceedings of said Board of Trustees, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Hawkins introduced Senate Bill No. 45, entitled :

A bill for an act to amend section one hundred and twenty-two (122) of an act entitled "An act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices, and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the time when the same shall take effect as to certain offices therein named, and repealing all conflicting laws," approved March 11, 1895, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Hogate introduced Senate Bill No. 46, entitled :

A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict herewith.

Read first time and referred to Committee on Legislative Apportionment.

Senator Hogate introduced Senate Bill No. 47, entitled :

A bill for an act to amend section 152 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency.

Read the first time and referred to Committee on Finance.

Senator Holler introduced Senate Bill No. 48, entitled :

A bill for an act defining the Thirty-second Judicial Circuit, creating and defining the Fifty-eighth Judicial Circuit, fixing the time of holding court therein, providing for the appointment and election of Judges and Prosecuting Attorneys, and

otherwise regulating the manner of holding court in said circuits, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Organization of Courts.

Senator Holler, by request, introduced Senate Bill No. 49, entitled :

A bill for an act to provide for the transaction of business in cases of vacancy in the office of Judge, or in case of the inability or disqualification of Judges to act.

Read the first time and referred to the Committee on Judiciary.

Senator Horner introduced Senate Bill No. 50, entitled :

A bill for an act requiring County Commissioners to employ the County Surveyor in all cases where they are now required by law to employ the service of a surveyor or civil engineer, and prescribing the duties and fixing the compensation of County Surveyors in such cases, repealing all laws in conflict and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Houghton introduced Senate Bill No. 51, entitled :

A bill for an act to require the State Board of Education to issue State teachers' certificates to graduates of the Indiana University and certain universities in certain cases, providing a fee for issuing the same and declaring an emergency.

Read first time and referred to Committee on Education.

Senator Hubbell introduced Senate Bill No. 52, entitled :

A bill for an act to amend section forty-one (41) of an act entitled "An act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices, and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for

the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the time when the same shall take effect as to certain offices therein named, and repealing all conflicting laws," approved March 11, 1895, and declaring an emergency.

Read first time and referred to the Committee on Fees and Salaries.

Senator Hugg introduced Senate Bill No. 53, entitled :

A bill for an act creating the offices of Superintendent of Public Buildings and Property, and Superintendent of Machinery of the State Capitol, prescribing their duties and fixing their compensation and the compensation of all persons who may be employed by them, abolishing the offices of Custodian of Public Buildings, and the State House Engineer, and repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to Committee on Public Buildings.

Senator Hugg introduced Senate Bill No. 54, entitled :

A bill for an act to amend section 1 of an act entitled "An act to amend section 389 of an act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881, approved March 11, 1895," and declaring an emergency.

Read first time and referred to Committee on Judiciary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has adopted Concurrent Resolution No. 1, referring to (H. R. 4339) Congressional bill to establish a National Military Park at Vicksburg; No. 1 and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

House Concurrent Resolution No. 1 :

WHEREAS, There is now pending in Congress a bill (H. R. 4339) to establish a National Military Park to commemorate the campaign, siege and defense of Vicksburg; and,

WHEREAS, The operations that culminated almost simultaneously at Gettysburg and Vicksburg in July, 1863, not only mark the turning point in the war of the rebellion, but also constitute one of the greatest epochs in the history of our country, and should both be commemorated in the most impressive and enduring manner possible; and,

WHEREAS, The establishment of a National Military Park at Vicksburg will be a most fitting and appropriate monument to the great commander whose genius planned these operations and directed them to a successful issue; and,

WHEREAS, The State of Indiana has an especial interest in this bill for the reason that of her gallant soldiers twenty-four regiments of infantry, two of cavalry and one battery of artillery participated in the operations it is intended to commemorate; therefore,

*Resolved by the House, the Senate concurring,* That the above-named bill (H. R. 4339) be passed during this session of Congress, and requests the Senators and members of the House of Representatives in Congress from Indiana, to labor earnestly for its passage; and the Clerk of the House and the Secretary of the Senate are hereby directed to send a copy of this resolution to the Senators and members of the House of Representatives from Indiana, to the Hon. Thomas B. Reed, Speaker of the House of Representatives, and to the Hon. John A. F. Hull, Chairman of the House Committee on Military Affairs.

Read the first time and referred to the Committee on Federal Relations.

Senator Johnson of Madison introduced Senate Bill No. 55, entitled :

A bill for an act to establish a Superior Court in the county of Grant, define its jurisdiction, to provide for the appointment and election of a judge thereof, to fix his salary, to provide for appeals and changes of venue to and from said Superior Court, and to provide for the transfer of cases from the

Grant Circuit Court to said Superior Court, and from said Superior Court to the Grant Circuit Court, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senator Johnson, of Madison, introduced Senate Bill No. 56, entitled:

A bill for an act to regulate hair cutting, beard trimming, shaving and other work of a barber, on Sunday, providing penalties for the violation of the provisions thereof, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Johnston of Dearborn introduced Senate Bill No. 57, entitled:

A bill for an act entitled an act authorizing Justices of the Peace in all civil causes to issue summons on Sunday, empowering constables to serve the same on that day, the plaintiff first filing an affidavit as required by this act, and to enlarge the powers of Justices of the Peace and constables in such matters, and repealing all laws coming in conflict with this act.

Read first time and referred to Committee on Judiciary.

Senator Johnston of Dearborn introduced Senate Bill No. 58, entitled:

A bill for an act entitled an act authorizing the institution of civil actions in the Circuit and Superior Courts of this State on Sunday, the issuing of process and the service thereof on said day against non-resident defendants in, or about to come into, this State on said day; or are removing, or about to remove from this State on Sunday; the plaintiff first filing an affidavit with the complaint averring either of the causes above set forth and that delay will endanger the service of summons in such causes and of obtaining a personal judgment in the same.

Read the first time and referred to the Committee on Judiciary.

Senator LaFollette introduced Senate Bill No. 59, entitled :

A bill for an act concerning the common schools of this State, the election, powers and duties of certain officers thereof, providing a penalty for violating some of its provisions, and repealing certain sections of the present existing school laws.

Read the first time and referred to the Committee on Education.

Senator McCord introduced Senate Bill No. 60, entitled :

A bill for an act to establish a State library system in connection with the public schools of the State, prescribing the levies of taxes and the manner of the appointment of officers for the administration thereof, repealing all laws in conflict and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator New introduced Senate Bill No. 61, entitled :

A bill for an act to amend section 12 of an act entitled "An act to provide for the incorporation of Street Railroad Companies, approved June 4, 1861, and adding supplemental sections to said act," and providing for an emergency.

Read the first time and referred to the Committee on the City of Indianapolis.

Senator Newby introduced Senate Bill No. 62, entitled :

A bill for an act to repeal section 26 of an act entitled "An act to create an Appellate Court and define its jurisdiction and procedure, and declaring an emergency," approved February 28, 1891, and to prescribe the terms of office of Judges of said Court, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator Newby moved that the constitutional rule be suspended, that the bill be read a second time by title, considered engrossed, and read a third time by sections and placed upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Duncan, Hugg, Johnson of Madison, New and Newby. Total, 5.

Those voting in the negative were :

Senators Alexander, Bethell, Drummond, Early, Gilbert, Gill, Gochenour, Goodwine, Hawkins, Hogate, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Rogers, Schneck, Self, Shiveley and Wood. Total, 27.

So the motion was lost.

Senator Newby, by request, introduced Senate Bill No. 63, entitled :

An act fixing the compensation and fees for services rendered by Constables, and repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Nusbaum introduced Senate Bill No. 64, entitled :

A bill for an act to provide the manner for proof of claims for allowance by Board of County Commissioners, repealing all laws in conflict therewith, and providing a penalty for the violation thereof.

Read first time and referred to Committee on County and Township Business.

Senator Nusbaum introduced Senate Bill No. 65, entitled :

A bill for an act to regulate the duties of the Board of County Commissioners and Auditor, repealing all laws in conflict herewith, and providing a penalty for the violation thereof.

Read the first time and referred to the Committee on County and Township Business.



Senator Patten introduced Senate Bill No. 66, entitled:

A bill for an act making it unlawful for any person holding any office by virtue of the Constitution or laws of this State to accept a free pass or transportation from any railroad or steamboat company or corporation doing business in this State, and providing penalties for the violation thereof, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Schneck introduced Senate Bill No. 67, entitled:

A bill for an act to provide for an investigation of the cause of fires, and providing for the punishment of persons by whose intention or neglect such fires occurred.

Read first time and referred to Committee on Judiciary.

Senator Schneck introduced Senate Bill No. 68, entitled:

A bill for an act to protect sheep and other domestic animals against the ravages of dogs, and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Senator Self, by request, introduced Senate Bill No. 69, entitled:

A bill for an act to provide for a revision of the laws of the State of Indiana in relation to municipal corporations, including counties, civil and school townships, cities and towns and all others, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Shiveley, by request, introduced Senate Bill No. 70, entitled:

A bill for an act authorizing the incorporation of the boards or committees of foreign missions, of the governing bodies of churches and religious societies in this State, and authorizing such corporate bodies to take title to and hold real estate and property in any foreign country or State of the United States,

for the purpose of establishing and conducting Christian missions, schools, churches, and the general diffusion of Christianity and Christian education.

Read first time and referred to Committee on Federal Relations.

Senator Shiveley introduced Senate Bill No. 71, entitled:

A bill for an act to provide for the better government, control, management and general supervision of the State's prisons at Michigan City and Jeffersonville, Indiana; providing for the appointment of Boards of Control for said prisons and other matters properly connected therewith, fixing the terms of office of the members of said Board of Control, repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on State Prisons.

Senator Wood introduced Senate Bill No. 72, entitled:

A bill for an act prescribing certain duties of telegraph companies, prohibiting discrimination between patrons, providing penalties therefor, repealing all laws in conflict with this act, and declaring an emergency.

Read first time and referred to Committee on Corporations.

Senator Wood introduced Senate Bill No. 73, entitled:

A bill for an act concerning the appointment of short-hand reporters, regulating their duties, fixing their compensation and providing that the original long-hand manuscript may be used on appeal.

Read first time and referred to Committee on Judiciary.

The second roll-call for bills was ordered.

Senator Gilbert introduced Senate Bill No. 74, entitled:

A bill for an act regulating insurance and indemnity contracts, prohibiting the imposition of certain conditions in the payment of losses and benefits therein, and providing penalties therefor.

Read the first time and referred to the Committee on Insurance.

Senator Gostlin introduced Senate Bill No. 75, entitled :

A bill for an act to authorize any railroad company now organized, or that may hereafter be organized under the laws of this State, to lease or sell and convey its property and franchises to any other railroad company, whether organized within or without this State.

Read first time and referred to Committee on Railroads.

Senator Gostlin introduced Senate Bill No. 76, entitled :

A bill for an act to authorize the consolidation of railroad companies of this State with foreign railroad companies, and to confirm such consolidation heretofore made and validate obligations incurred by such companies.

Read first time and referred to Committee on Corporations.

Senator Hawkins introduced Senate Bill No. 77, entitled :

A bill for an act to amend section six of an act entitled "An act authorizing the appointment of short-hand reporters for certain courts of record in this State (in counties containing a population of 70,000 or more), and prescribing their duties and compensation of such reporters," approved March 10, 1875, and being section 1410 of the Revised Statutes of 1881, and section 1476 of the revision of 1894.

Read the first time and referred to the Committee on Judiciary.

Senator Hugg introduced Senate Bill No. 78, entitled :

A bill for an act to amend section forty-three (43) of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881, the same being section 1944 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator McCord introduced Senate Bill No. 79, entitled :

A bill for an act to repeal section 22 of an act passed 1858, entitled "An act concerning the incorporation of stock insurance companies," being section 3729 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Insurance.

Senator Mull introduced Senate Bill No. 80, entitled :

A bill for an act to amend an act entitled "An act providing for notice of the pendency and hearing of petitions by executors and administrators, or the sale of real estate for the payment of debts of decedents' estates and relating to notices pending or the time of the taking effect of this act, and declaring an emergency," approved March 9, 1891.

Read first time and referred to Committee on Judiciary.

Senator New introduced Senate Bill No. 81, entitled :

A bill for an act to amend section five, eleven, twenty, twenty-two and twenty-six of the act of the General Assembly of the State of Indiana, entitled "An act for the incorporation of insurance companies, defining their power and prescribing their duties," approved June 17, 1852, being sections 3712, 3718, 3727, 3729 and 3733 of the Revised Statutes of the State of Indiana for 1881.

Read first time and referred to the Committee on Insurance.

Senator Nusbaum introduced Senate Bill No. 82, entitled :

A bill for an act to regulate and prescribe purity in the manufacture and sale of drugs.

Read first time and referred to the Committee on Public Health.

Senator Shiveley introduced Senate Bill No. 83, entitled :

A bill for an act appropriating money for the current expenses of the Eastern Indiana Hospital for the Insane.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Shiveley introduced Senate Bill No. 84, entitled :

A bill for an act to regulate and license the sale and traffic in cigarettes and cigarette wrappers, declaring certain uses, sales and traffic thereof unlawful and providing penalties for certain violations of the provisions of this act.

Read first time and referred to the Committee on Judiciary.

Senator Wood introduced Senate Bill No. 85, entitled:

A bill for an act defining partition fence, providing for the building and maintenance of the same, repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Wood introduced Senate Bill No. 86, entitled:

A bill for an act requiring railroad companies and corporations to provide signal lights on the rear of locomotives, engine tenders and sections or parts of freight trains when the same are run backward, and providing penalty for violation thereof.

Read first time and referred to Committee on Railroads.

Senator Ellison introduced Senate Bill No. 87, entitled:

An act regulating insurance and indemnity contracts, prohibiting the imposition of certain conditions in connection with the payment of losses and benefits therein, and declaring the same void.

Read the first time and referred to the Committee on Judiciary.

Senator Ellison introduced Senate Bill No. 88, entitled:

A bill for an act relating to actions for the recovery of damages on account of defective appliances, tools, machinery, cars or engines, and regulating practice and procedure therein.

Read the first time and referred to the Committee on Judiciary.

The following communication was received from the Governor:

JANUARY 12, 1897.

*To the Honorable President of the Senate:*

SIR—Charles E. Wilson has been appointed as my private secretary, and as such is authorized to make and transmit Executive communications to the Senate.

JAMES A. MOUNT,  
Governor.

Which was ordered read.

Senator Shiveley moved that when the Senate adjourn it do adjourn until to morrow morning.

Carried.

Senator Duncan introduced Senate Bill No. 89, entitled:

A bill for an act to amend section one hundred and twenty-six (126) of an act entitled, "An act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of the officers therein named, providing for certain employes in certain public offices, and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the time when the same shall take effect as to certain officers therein named, and repealing all conflicting laws," approved March 11, 1895, and declaring an emergency.

Read the first time and referred to the Committee on Fees and Salaries.

Senator Duncan introduced Senate Bill No. 90, entitled:

A bill for an act to legalize the acts of Boards of County Commissioners in the various counties throughout the State in the payment of salaries to the Auditors and Treasurers in said several counties where such payments have been made, and requiring such Boards of County Commissioners in counties where the salaries have not been heretofore paid to allow and pay to such Auditors and Treasurers the respective salaries provided for in section one hundred and twenty-six (126) of the act of March 11, 1895, touching the fees and salaries of State and county officers, notwithstanding such Auditors and Treasurers may not have turned into the county treasury, out of the fees that may have been collected, a sum sufficient to equal the total amount of their respective quarterly allowances of salary, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Gostlin introduced Senate Bill No. 91, entitled :

A bill for an act giving to boards of trustees of incorporated towns the right and power to require the persons or corporations operating any railroad through such town to erect and maintain at their own expense, safety gates and electric lights at the intersection of such railroad, with any and all public streets in such town and to enforce the same by penal ordinances, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Phares offered the following Senate Resolution No. 9 :

MR. PRESIDENT :

I offer the following resolution :

*Resolved*, That the Secretary of the Senate be directed to cause to be printed the message of Governor Mount, three thousand in English and one thousand in German, wrapped ready for mailing.

PHARES.

Which resolution was adopted.

Senator Holler introduced the following Senate Concurrent Resolution No. 3 :

#### SENATE CONCURRENT RESOLUTION.

WHEREAS, The present mode of selecting United States Senators, as prescribed by the Constitution of the United States, is not consistent with a true democratic form of government; and

WHEREAS, Frequent propositions have been presented to the Congress of the United States to amend the United States Constitution so as to make Senators of the United States elective by a direct vote of the electors; therefore,

*Resolved*, by the Senate, the House of Representatives Concurring, That it is the sense of the General Assembly of the State of Indiana that the Constitution of the United States should be so amended as to make the Senators of the United States elective

by a direct vote of the people, and the Senators and Representatives of Congress from this State are hereby respectfully requested to use their earnest endeavors to secure such amendments at the earliest practicable period.

The Governor of the State is hereby requested to forward copies of this resolution to each of the Senators and Representatives in Congress.

Read and referred to Committee on Federal Relations.

On motion of Senator Hubbell, the Senate adjourned.

W. S. HAGGARD,  
Lieut.-Governor and President of Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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### WEDNESDAY MORNING.

JANUARY 13, 1897.

The Senate was called to order at 10 o'clock A. M., with Lieutenant W. S. Haggard in the chair.

Prayer was offered by Rev. Carr, of the First Baptist Church of Indianapolis.

After reading a portion of the Journal, on motion of Senator Early the further reading was dispensed with.

Senator Ellison introduced Senate Resolution No. 10:

*Resolved*, That Rule 8 be amended so as to provide that the Judiciary Committee be composed of eleven members, not less than four thereof to be chosen from the minority side of the Senate, all to be chosen by the President of the Senate.

Which was read and referred to the Committee on Rules.



The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has concurred in engrossed Senate amendments to House Bill No. 1, entitled a bill making appropriation for the expenses of the General Assembly.

B. H. PRATHER,  
Clerk.

The Chair ordered a roll-call for the presentation of petitions, memorials and remonstrances.

Senator Shea presented to the Senate a petition, signed by citizens of Scott and Clark Counties, asking an appropriation of one thousand dollars, to be used for the purpose of erecting a suitable monument over the graves of the men, women and children who perished in the "Pigeon Roost Massacre," which occurred on the 18th day of August, 1812. The remains of these heroic pioneer settlers lie buried near the line of Scott and Clark Counties with nothing to mark their last resting place.

Petition read and referred to Committee on Finance.

Senator Mull, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

Your Committee on Finance, to which was referred Senate Bill No. 47, introduced by Senator Hogate, begs leave to report the same back to the Senate, with the recommendation that the emergency clause be stricken out, the title amended accordingly, and that when so amended the bill do pass.

THOMAS K. MULL,  
Chairman.

The report of the committee was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 16, introduced by Senator LaFollette, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

SHIVELEY,  
Chairman.

The report of the committee was concurred in.

Senator O'Brien, Chairman of the Committee on Federal Relations, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State of Indiana, to which was referred Senate Concurrent Resolution No. 2, introduced by Mr. R. O. Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said Concurrent Resolution No. 2 do pass.

JAMES O'BRIEN,  
Chairman.

The report of the committee was concurred in.

Senator O'Brien, Chairman of the Committee on Federal Relations, Rights and Privileges, makes the following report:

MR. PRESIDENT:

Your Committee on Federal Relations, Rights and Privileges, to which was referred House Concurrent Resolution No. 1, introduced by Mr. John W. Linck, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said House Concurrent Resolution do pass.

JAMES O'BRIEN,  
Chairman.

The report of the committee was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 5, introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

The report of the committee was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 11, introduced by Senator Houghton, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

The report of the committee was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 15, introduced by Senator Johnston of Dearborn and Ohio, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 8, introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

The report of the committee was concurred in.

Senator Alexander, Chairman of the Committee on Mileage, made the following report:

MR. PRESIDENT:

Your Committee on Mileage report the following Senators and Presidents of the Senate, Nye and Haggard, in this body, with the number of miles traveled and the amount of mileage to which each is entitled.

F. M. ALEXANDER,  
Chairman.

President of the Senate Nye, 300; President of Senate Haggard, 130; Alexander, 240; Ball, 106; Bethell, 300; Bobilya, 274; Bozeman, 370; Campbell, 106; Collett, 150; Drummond, 252; Duncan, 162; Early, 146; Ellison, 274; Gilbert, 396; Gill, 80; Goar, 92; Gochenour, 184; Goodwine, 172; Gostlin, 310; Hawkins, none; Hogate, 40; Holler, 328; Horner, 118; Houghton, 248; Hubbell, 320; Hugg, none; Humphreys, 172; Johnson of Madison, 72; Johnston of Dearborn, 204; Kerns, 158; LaFollette, 200; Leich, 364; McCord, 62; Muli, 70; New, none; Newby, 70; Nusbaum, 352; O'Brien, 110; O'Connor, 170; Patten, 210; Phares, 188; Rinear, 220, Rogers, 300; Schneck, 120; Self, 270; Shea, 160; Shiveley, 140; Stroup, 54; Sweeney, 410; Watson, 244; White, 472; Wood, 128.

Report of committee read and adopted.

Senator Duncan introduced Senate Resolution No. 11:

WHEREAS, There is now in session in the city of Indianapolis a monetary conference, composed of distinguished citizens

of every State in the Union, counseling together for the good of the whole people; and

WHEREAS, Said body is non-partisan and non-sectarian; therefore, be it

*Resolved*, That the President of the Senate be requested to extend said conference an invitation to attend the sessions of the Senate during their stay in the capital of the State of Indiana, and to accord them the privilege of the floor.

The resolution was read.

Motion made by Senator Drummond to strike from the resolution the words "non-partisan."

The motion was put to vote and declared lost.

The resolution was then adopted by vote.

Senator O'Brien, Chairman of the Committee on Federal Relations and Rights and Privileges, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations and Rights and Privileges, to which was referred House Concurrent Resolution No. 1, introduced by Mr. Linck, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said House concurrent resolution do pass.

JAMES O'BRIEN,  
Chairman.

On motion the Senate rule was suspended and the resolution adopted.

Senators Hogate and Hugg offered the following Senate Resolution No. 11:

MR. PRESIDENT:

*Be it resolved by the Senate*, That Leo Lefkovitski be retained as messenger and page of this Senate during this session.

HOGATE,  
HUGG.

Which resolution was read.

Moved by Senator Watson that the resolution be referred to the Committee on Finance.

A vote was ordered.

The question being, Shall the resolution be referred?

The Chair being in doubt, a division was ordered.

The vote being 21 ayes, 17 noes.

The resolution was referred.

A roll-call for the presentation of bills was ordered.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 62, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

CHAS. E. SHIVELEY,  
Chairman.

The report of the committee was concurred in.

Senator Horner introduced Senate Resolution No. 12:

*Resolved*, That the Principal Secretary of the Senate is hereby requested and directed to have printed the rules of the Senate, the names of the members, their residence, occupation and counties represented, and the names of Senators composing each committee of the Senate and joint committee of the Senate and House, together with the names and residence of the officers of the Senate and their assistants, and of all the employes of the Senate. That the Constitution of the State be also printed in connection therewith. That two hundred copies of same be printed in pamphlet form in the same manner as heretofore, and that fifty-one copies of the same be bound in morocco leather, with the names of each Senator thereon.

HORNER.

Which resolution was adopted.

Senator Horner introduced the following Senate Resolution No. 18:

*Resolved*, That the Principal Secretary of the Senate is hereby requested to prepare at the end of each week during the session of the General Assembly, a circular of the business of the Senate to date, which shall show the numbers and titles of bills and resolutions before the Senate, when and by whom introduced, and a brief statement showing what action had been taken; and that the same be placed on the desk of each member on each Monday morning during the session.

Which resolution was adopted.

By request, Senator Bozeman introduced Senate Resolution No. 15:

WHEREAS, The habit of smoking cigarettes by boys is becoming alarmingly prevalent in our State and Nation, and regarding the habit as very deleterious to the health of our youth and debasing in its moral effect, therefore we, the Board of Trustees of the town of Oakland City, Gibson County, Indiana, pray the Legislature of our State to pass such laws as, in their wisdom, they think best to restrain, regulate, or, if possible, to prohibit the sale of cigarettes in the State of Indiana, and to enable towns to tax, regulate and restrain the sale of cigarettes.

Passed at a regular meeting of the Board of Trustees of Oakland City, Gibson County, Indiana, on the 11th day of January, 1897.

S. S. REED,  
Chairman Town Board.

Attest:

D. W. CHRISTMAS,  
Town Clerk Oakland City.

[SEAL]

WHEREAS, The habit of smoking cigarettes by young boys is becoming alarmingly prevalent in towns throughout the State and nation, and, regarding the habit as very deleterious to the health of such boys, and debasing in its moral effect, therefore,

*Resolved*, That we, the Good Citizens' League of Oakland City, Ind., pray our State Legislature to pass such laws as in

their wisdom they think best to restrain, regulate, or, if possible, prohibit the sale of cigarettes in the State of Indiana, and to enable towns and cities of the State to tax, regulate and restrain the sale of cigarettes.

*Resolved*, That a copy of this resolution be furnished to our Representative in the State Legislature, with the request that he use his best endeavors to secure the passage of a law as above indicated.

Very respectfully submitted,

A. C. WOODRUFF.

Unanimously adopted, January 8, 1897.

GEORGE LOCKHART,

President.

Attest:

J. B. PILANT,

Secretary.

Which was referred to the Committee on Health.

A roll-call for the introduction of bills was ordered.

Senator Alexander introduced Senate Bill No. 92, entitled:

A bill for an act to amend section one (1) of an act entitled an act concerning the partition of lands, approved May 20, 1852, and to repeal an act therein named, approved April 7, 1881.

Read first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 98, entitled:

A bill for an act, supplemental to an act, entitled "An act concerning the construction of free gravel, stone, or other macadamized roads, providing for their location, the manner of their construction and providing for the payment of the same, and for their amendments, and declaring an emergency," approved March 8, 1893, and all acts amendatory thereto, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.



Senator Early introduced Senate Bill No. 94 by request, entitled :

A bill for an act for the better security of holders of policies of life insurance issued by life insurance companies organized in this State by the deposit of securities with the Auditor of State in certain cases, and the maintenance thereof, regulating the manner and conditions of such deposits, and the withdrawal, change or substitution of such securities, prescribing the duties of the Auditor of State in relation thereto, and specifying the contracts of insurance which may be made by life insurance companies making and maintaining such deposits.

Read first time and referred to Committee on Insurance.

Senator Early, by request, introduced Senate Bill No. 95, entitled :

A bill for an act supplemental to an act entitled an act to provide for organizing and regulating the business of life insurance corporations, associations and societies transacting business on what is known as the assessment plan, and fixing penalties for violation of its provisions, and declaring an emergency (approved March 9, 1883), and to define the meaning of the words "assessment plan" as used in said act.

Read first time and referred to the Committee on Insurance.

Senator Gilbert introduced Senate Bill No. 96, entitled :

A bill for an act for the protection of fish in the waters of the State, and providing a penalty for the violation of its provisions.

Read first time and referred to Committee on Judiciary.

Senator Gilbert introduced Senate Bill No. 97, entitled :

A bill for an act to amend section two (2) and section seven (7) of an act to authorize the appointment of a Commissioner of Fisheries for the State of Indiana, defining his duties, and making an appropriation to defray the expenses thereof, approved March 26, 1881.

Bill read the first time and referred to the Committee on Judiciary.

Senator Gochenour introduced Senate Bill No. 98, entitled:

A bill for an act to prevent the adulteration of drugs and food, defining what adulteration is, and providing penalties for the same.

Bill read the first time and referred to the Committee on Public Health.

Senator Gochenour introduced Senate Bill No. 99, entitled:

A bill for an act to compel Justices of the Peace to procure and use a seal, and making their acknowledgments of deeds, mortgages, etc., good anywhere in the State.

Read first time and referred to Committee on Judiciary.

Senator Hawkins introduced Senate Bill No. 100, entitled:

A bill for an act to protect the people of Indiana by requiring all persons selling at retail or compounding for sale at retail any poison or compound containing a poison, providing exceptions, to be duly licensed, providing for registration and re-registration, and time for each; providing for necessary examination of applicants for license, and time for holding same; fixing amount of fees and time of payment; providing for the establishment of a Board of Pharmacy, and for its maintenance, regulation and duties; providing necessary penalties for the violation of this act, and declaring an emergency.

Read first time and referred to Committee on Public Health.

Senator Hogate, by request, introduced Senate Bill No. 101, entitled:

A bill for an act for the incorporation of farmers' and citizens' voluntary associations for the purpose of insuring live stock, and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Senator Hogate introduced Senate Bill No. 102, entitled:

A bill for an act providing for the registration of voters in the State of Indiana.

Read first time and referred to Committee on Judiciary.

Senator Leich introduced Senate Bill No. 103, entitled:

A bill for an act to establish an additional institution for the education of the deaf and dumb to be located at or near the city of Evansville, in Vanderburgh County, State of Indiana, providing for the appointment of trustees and the government thereof, and making an appropriation for grounds, buildings and maintenance.

Read first time and referred to Committee on Benevolent Institutions.

Senator New introduced Senate Bill No. 104 by request, entitled:

A bill for an act concerning insurance and declaring an emergency.

Read first time and referred to Committee on Insurance.

Senator Shea introduced Senate Bill No. 105, entitled:

A bill for an act providing for the erection of a monument over the graves of the pioneer heroes who were massacred at "Pigeon Roost" and providing for an appropriation for the same and declaring an emergency.

Read first time and referred to the Committee on Military affairs.

Senator Shiveley introduced Senate Bill No. 106, entitled:

A bill for an act to amend section one of an act entitled "An act to encourage the erection and operation of water-works in towns by incorporated associations, and prescribing the powers and privileges of such corporation and the restrictions and liabilities to which they shall conform, and declaring an emergency, approved March 6, 1889, and being section 5088 of the Revised Statutes of 1894."

Read first time and referred to Committee on Cities and Towns.

Senator Shiveley introduced Senate Bill No. 107, entitled:

A bill for an act to provide against the adulteration of food and drugs, declaring certain acts connected therewith unlawful and providing penalties therefor.

Read first time and referred to Committee on Public Health.

Senator Wood introduced Senate Bill No. 108, entitled :

A bill for an act to repeal an act entitled "An act to amend section 389 of an act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881, approved March 11, 1895, and declaring an emergency."

Read first time and referred to the Committee on Judiciary.

Senator Wood introduced Senate Bill No. 109 by request, entitled :

A bill for an act to better regulate and restrict the sale of intoxicating, spirituous, vinous and malt liquors, providing penalties for the violation thereof and repealing laws in conflict therewith.

Read first time and referred to Committee on Temperance.

Senator Phares introduced Senate Bill No. 110, entitled :

A bill for an act to repeal section one (1) of an act entitled "An act to amend section 389 of an act concerning proceedings in civil cases," approved March 11, 1895.

Read first time and referred to Committee on Judiciary.

The following communication was received from the House :  
MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate bill, fixing a time for holding Courts in the Sixth (6) Judicial Circuit of the State of Indiana, number 34, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also, I hereby transmit to the Senate for the signature of the President, Enrolled Act No. 1, entitled an act appropriating \$105,000 for the expenses of the Sixtieth General Assembly, and the same is hereby transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

On motion of Senator Ball the Senate adjourned.

## WEDNESDAY AFTERNOON.

JANUARY 13, 1897.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Haggard in the chair.

A roll-call for the introduction of bills was ordered a second time.

Senator Mull introduced Senate Bill No. 111, entitled :

A bill for an act defining the duties of Township Trustees in the sale of township property, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Mull introduced Senate Bill No. 112, entitled :

A bill for an act to amend section 2 of an act entitled an act to enable incorporated towns to lay out, open, grade and improve streets and alleys and make public improvements therein, and to make surveys and adopt plats where the same have been lost or destroyed, and prescribing the duties of the Boards of Trustees, and providing for the mode of working and improving streets and alleys, and declaring an emergency, approved April 27, 1869, being section 3368 of the Revised Statutes of 1881, and section 4405 of Burns' Revised Statutes of 1894.

Read the first time and referred to the Committee on Cities and Towns.

Senator New introduced Senate Bill No. 113, entitled :

A bill for an act to amend section one of an act entitled "An act prohibiting the playing of base ball on Sunday and prescribing the punishment for the violation of the provisions thereof," approved April 4, 1885, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Shiveley introduced Senate Bill No. 114, entitled :

A bill for an act appropriating money for making improvements and increasing the capacity of the Eastern Indiana Hospital for the Insane.

Read first time and referred to Committee on Benevolent Institutions.

Senator Wood introduced Senate Bill No. 115, entitled :

A bill for an act amending section two hundred and fifty-five (255) of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881.

Read first time and referred to Committee on Judiciary.

Senator Wood introduced Senate Bill No. 116, entitled :

A bill for an act providing that passengers shall not be charged excess fare by railroads on account of their not having purchased tickets.

Read the first time and referred to Committee on Railroads.

A roll call was ordered for the presentation of petitions, memorials and remonstrances.

Senator Wood moved that the principal doorkeeper be instructed to procure and place in a conspicuous place in the Senate Chamber a large calendar.

Which motion was carried.

Senator Collett offered the following resolution :

*Resolved*, That Otto Zell and Byron LaFollette be appointed pages, and Delbert H. Moulder messenger of the Senate.

Which was read and adopted.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 28, entitled "A bill to divide the State into judicial circuits."

B. H. PRATHER,  
Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 83, entitled "A bill fixing the time of holding court in the Fifty-seventh Judicial Circuit," and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

The commission appointed by the President of the Senate at its last session on prisons submitted the following report :

*To the Honorable the Senate of the State of Indiana:*

The undersigned would most respectfully say to this honorable body that in pursuance to the authority vested in him by Senate Concurrent Resolution No. 27, approved March 10, 1895, His Excellency, Lieutenant-Governor Nye, saw fit to appoint them as a commission to investigate and report to this session of the General Assembly as to the manner in which convicts are being used and the success obtained in employing them on the public highways of other States, and as to whether or not any legislation is desirable whereby convicts can be successfully worked on the highways of this State.

In order that this commission might the more intelligently come to a correct understanding of the question referred to in the resolution, and those commented upon in this report, in addition to the correspondence contemplated, it has visited both prisons in our own State, the Reformatory for Men at Pontiac, Ill., and attended the meeting of the National Prison Congress at Milwaukee; besides which we have put ourselves in touch with many of the penal institutions of the United States, through their reports, and become somewhat familiar with the views of the most eminent penologists through their speeches and works. In addition to which one member has visited the reformatory at Elmira, N. Y.

Without going into a general discussion of the reasons why we so do, it is the opinion of this Commission that the building and repair of highways, as contemplated in the resolution, is not practicable in Indiana nor best for the convicts. It has been found in States like ours that the cost of such labor on

highways is as great as that of free labor. It is strongly claimed by the best penologists—which claim seems to us very probably true—that the working of convicts in public places, where they can see and be seen by the public at large, has a hardening and demoralizing effect on the convicts themselves, and upon the general public as well. Therefore, because of what we think is a more pressing demand along this line, as hereinafter spoken of, we do not recommend that any legislative action be had for the present looking to the employment of the convicts confined in our prisons upon highways of the State. We do, however, want to suggest that in our opinion the State should at an early day secure at several of the most accessible points, tracts of land on which the best of road-making rock is to be found; that when the convicts have been properly classified, and a large enough class of confirmed criminals has been set apart, that then the State shall build the necessary buildings and stockades; and having procured the best of machinery for quarrying and crushing the rock, bring this confirmed criminal class to the quarries and put them at work quarrying the stone, crushing the rock, loading the cars, so that the broken stone will be ready for shipment to the various localities where needed to make or repair the highways of that neighborhood.

There is no question but that the various railroads of the State will transport such material without profit to any highway crossing along their lines. It could then be hauled where needed at a very little expense to the various communities, and to the almost everlasting benefit to the roads.

In passing, we may say that the cost of quarrying and loading such material upon cars is  $6\frac{8}{10}$  cents per cubic yard to the State of Massachusetts, where this scheme is in actual operation.

It is estimated by Gen. Roy Stone, Special Agent and Engineer of the office of Road Inquiry of the United States, that the average cost of freight within 100 miles of the quarry would not exceed 28 cents per yard, and that the wagon haul, averaging two and one-half miles, with a daily wage of \$3, should not exceed 30 cents per yard.

Such an employment of that class of convicts would not come in competition with outside labor to any great extent.



They would be removed to a place where their influence would be the least detrimental to the convict who desired to reform, and their labor would be of the greatest value to the State, and the quarry prison would be a terror to those who, being in the other prisons, felt inclined to disregard the rights of others and proclaim war upon law and order. All of these benefits or effects are greatly to be desired, but as they can not be secured to their full extent till the changes and reforms hereinafter mentioned have been effected, we believe the passage of laws to carry out these suggestions may well be deferred till a future session of the Legislature.

This Commission did not have to pursue its investigation very far till it became fully possessed with the opinion that radical reforms were necessary in the prison system of Indiana if it was desired to keep step with the advanced ideas and methods that have proved efficient in our sister States.

It was learned that Indiana was far behind many of the other States of the Union in the care and treatment of that large and growing element of population confined in county jails and filling her penitentiaries. While your commission is not called upon, nor is it necessary to speak of the treatment accorded this unfortunate but criminal class by their custodians, yet it does desire to be heard in condemnation of the system.

After your committee had determined that it could make no recommendation favoring, in the sense referred to in the resolution, the employment of convict labor on the highways, it was decided, at a meeting attended by a large majority of the hold-over Senators, and with their concurrence, to go beyond the literal scope of the resolutions, ascertain as far as possible the defects, if any, existing in the present system, and in what particulars it should be modified, and to report by a bill or otherwise.

The framers of our Constitution held more advanced views on the relations of public offenders to society when they declared "that the penal code shall be founded on the principles of reformation and not of vindictive justice," than subsequent Legislatures have possessed. Since that a few—a very few—reforms have cautiously crept into the statute, while nearly the whole legislation relating to prisons since the adoption of the Constitution has been to change or amend existing laws, with

the ultimate object of putting out the adherents of one party and putting the other in, the general welfare of the convicts and of society, as influenced by such legislation, being a secondary consideration, if not entirely ignored. Legislation, however, has been had giving all except life prisoners credit for good conduct, or rather absence of bad conduct, while latterly the executive has exercised a doubtful prerogative of paroling prisoners on certain contingencies, coupled with stipulated restrictions; but comparatively few paroles have been granted, and they have been procured only upon application, accompanied with a circumlocution, and under practically the same restrictions necessary and required in the case of a pardon. With a prison population of 1,700, each of whom thinks himself entitled to executive interference, any regular system of parole would devolve on the Governor, labors beyond his ability to perform, and change that official's duties, already onerous, to that of a parole clerk. This system of paroles, if left in the Governor's hands, should be formulated by the proper legislation, and such assistance furnished as would procure it that attention its merits demand.

The object of imprisonment for crime is threefold—the protection of society, reformation of the offender and deterrence of others. Now, does the incarceration of an individual convicted of the criminal laws of the State accomplish these results? Does it accomplish any of them? If it does not the system is radically wrong. Does it protect society? Statistics show that 93 per cent. of the convicts in prisons of this country are convicted of crimes against property—that is, larceny, burglary, forgery, embezzlement, etc., while 5 per cent. are for crimes against the person. It further shows that 75 per cent. are under the age of thirty years. The statute prescribes a minimum and maximum imprisonment for each offense, and the Court or jury trying the case determines how many years within these limits the accused shall suffer imprisonment.

In fixing the time neither the Court or jury take into account the past life, education, former surroundings, mental, moral or physical condition or environments of the accused. It is fixed, if fixed by any rule, by the magnitude, or presuming magnitude, of the offense committed. The same punishment is inflicted on all regardless of age or other surroundings, whose

punishment is fixed at the same length of time, while all, except life men, occupy the same situation with reference to good time, and all with reference to parole. Each convict when he enters the prison is put at labor, determined from his size, age, strength and physical condition, and the demand there may be in certain lines of employment. As a result the boy sent for his first offense against the person, committed, possibly, in the heat of passion, is thrown into contact with the old and hardened thief and burglar.

The convicts are all put into the same hopper and come out in the same grist. The same food, clothing and treatment are accorded to all, and at the termination of the imprisonment all are cast out to be despised and neglected without regard to their desire to reform or their goodness. The only change is that generally each is further advanced in the school of crime than when his term began. They are not taught to be better citizens and the only advantage to society is that which comes from their enforced absence.

Your commission can not think any one would be rash enough to insist that confinement in our State prisons under their present system has a tendency to work a reformation. The whole system is antagonistic to the reformation of the individual. The sentence for a definite time, regardless of the individual's antecedents or subsequent conduct, does not look toward a reformation. The only inducement held out for exemplary conduct is a shortening of the period of imprisonment; a mere matter of calculation. The associations are adverse to reformation. The dress, food, labor and sleeping apartments all tend to tear down instead of build up character, while the final discharge of the convict without a dollar in money and a convict's suit on the body, whose freedom is only procured by reason of a specific number of days confinement, have in them much to degrade and little to ennoble. The convict knows and realizes that his time and labor have gone to another—the State or a contractor—and he has received no equivalent. So when he emerges, to be taken again into and to become a part of society, if he is not a worse man than when he entered prison it is because he has been strong and brave enough to withstand that which has pulled others down.

It has long been, and is now, a debatable question among penologists whether imprisonment for crime is a deterrent. We have large prison populations in all the States. Its increase is proportionately larger than that of population. Certainly, if incarceration deters, confinement in many prisons would be an absolute prevention; but crime still exists, and men are sentenced to the same prison more than once. The per cent. of prisons to total population is small. It is estimated that nine out of ten crimes committed go undetected, and the perpetrators escape. To determine the number of crimes not committed through fear of punishment is impossible. To undertake to ascertain, leads only into the fields of the vaguest speculation. Your commission is of the opinion that the fear of detection and punishment has prevented the commission of many crimes, and has a salutary influence in regulating the actions of the denominated criminal classes.

Other States and nations have seen fit to put in practice the principle declared as a part of the fundamental law of this State in the eighteenth section of our Bill of Rights, heretofore referred to. To repeat, it was said, "The penal code shall be founded on the principles of reformation, and not of vindictive justice."

New York, in 1875, established a reformatory at Elmira which has been patterned after by many of our sister States and a great many foreign nations, although not by Indiana, even though it has a bill of rights. In that institution they seem authorized to claim that more than 84 per cent of its inmates are so reformed that they are never again confined in a penal institution. While, on the other hand, it is thought by those who have investigated the subject that nearly 40 per cent. of the inmates of our own prisons become recidivists. This is not because persons convicted of crime in Indiana are worse than those in New York, but because we huddle all of our prisoners together, compelling those who might improve to become intimate with those who have, by lives of degradation, become incorrigible, and discharge them weaker in mind and character, and less able to withstand temptation, than they were when the first offense was committed; while at Elmira the good they have is added to, and they are made stronger by a course of study of the common branches of education, as

well as being given a thorough industrial training, with other methods of character building, that sends them back into the world stronger and more self-reliant men than they were when they entered the institution.

Criminals in most instances become so because their desire to do right and their power of will to overcome temptation or sinful impulse, has become so weakened or perverted by the influences and environments that have surrounded them that they have not been able to refrain from doing the act that has brought them within the prison walls.

If a man is sick in body we send him to the hospital to remain until he is cured; if he is insane, we send him to an asylum for a like indefinite period. In Indiana, if a man, through weakened will or perverted instincts commits a crime, we lock him up in a lazar house, where others, in all probability more wicked than he, are confined for some certain period, long enough to contaminate his mind and thought, without making any effort to cure or reform him. In most cases he is a more dangerous enemy to society after his incarceration than before.

Why, when we know that in most cases he can be cured, do we not sentence him to some institution where and till that beneficial result can be brought about?

Other States and countries have adopted, and found very advantageous in practice to bring about the reformation of criminals, what has been called the indeterminate sentence and parole laws.

If they have found that such laws tend to the upbuilding of the criminal classes, and instruments of good, why should we not try it too? Instead of spending large and still larger sums of money each year in detecting, trying and controlling criminals, and other large sums in protecting property and persons by expensive police systems, why not expend a small part of that money in removing the cause of our misfortunes, and make men rather than adept criminals out of this present class of persons.

One of the great obstacles to the permanent reformation of discharged convicts, is the odium that attaches to him, because of his incarceration, and the fact that some of his more hardened fellow-prisoners, when discharged, seek him out and by

threats of exposure and other influences, prevail upon or force him into further evil ways. To prevent this, laws known as Probation Laws have been enacted, notably in Massachusetts, by which the Court is authorized, on finding a person charged with crime guilty, to suspend the enforcement of the sentence to be endured by the prisoner, and place him under the surveillance of a court officer or a society. If such prisoner thereafter lives a sober, proper life, till such time as the Court is satisfied that he has reformed, he is discharged, but if he fails so to do, he is surrendered by such official or society, and is confined in the institution, jail or prison, to which he was sentenced, till he has undergone its punishment. Therefore, in order to secure that guardianship of our prison population the framers of our Constitution declared to be the object of imprisonment, your Commission recommend:

*First.* The establishment of a reformatory for certain classes of criminals convicted of certain grades of crimes.

*Second.* The passage of a law making the sentences of all persons found guilty of felony, indeterminate, with a right of parole when they have shown themselves entitled thereto.

The indeterminate sentence is now in successful operation in several States, and where introduced meets with universal approval. It has probably gone further to advance prison reform than any other one thing. It obviates many of the evils of the determinate sentence. It gives each convict the chance to work out his own liberty. It says to the prisoner: "You have violated the law. You have forfeited your right to the comforts and protection of society. The Court has determined that you are a fit man to be sent to prison. It can not tell when you will be fit to be given your liberty. That will depend on your conduct. When you show that you are a fit person to re-enter society, you can do so."

In all prisons having indeterminate sentences the authorities have established grades through which the convicts must pass, or to which they will be reduced, for commendable conduct or infraction of prison rules. These grades are distinguished by difference in dress. The grade of a convict is known and can be instantly determined by the color of his clothes. An inmate must remain a specified time continuously in the highest grade before he can procure his conditional release or parole.

A conditional release or parole comes after a certain amount of commendable conduct. That is only conditional: the prisoner being still subject to certain regulations, which, if followed, entitle him after a certain time to an absolute discharge, or, if broken, to rearrest and imprisonment, when he must again work out his right to a release.

It is apparent that something will have to be done at an early date to meet the growing demand of the prison population. Felons, like the poor, are always with us. They must have care, both for their own protection and that of society. Indiana now has two prisons, one at Jeffersonville and the other one at Michigan City, at the extreme ends of the State. Both are overcrowded. The prison South has 584 cells and 800 prisoners—nearly  $1\frac{1}{2}$  to a cell. The prison North has 720 cells and 851 prisoners—131 more prisoners than cells. Both keep a small number of cells for the reception of fresh arrivals, so that in both prisons a large number of cells are occupied by two prisoners.

In every biennial report the custodians of both prisons cry for more room. It can not much longer go unheeded. The fact is that neither prison at this time is fortunately located, especially as to accessibility. At the time of their location it was otherwise. The prison North is poorly constructed. The buildings are nearly all in a deplorable condition. The last report calls for large sums to put it in passable condition.

The prison South also calls for large appropriations for necessary repairs and buildings. It is certain something must be done in this direction. Your committee are of unanimous opinion that the solution lies in the construction of a reformatory, to which all persons convicted of crime, from the ages of seventeen to thirty, inclusive, shall be sentenced. Localities easily accessible by rail could be induced to contribute land sufficient for such an institution, which should not be less than a half section, and a good water supply, besides much toward the construction of the necessary buildings. A stockade and temporary barracks could be erected on the ground, and convicts from the prisons, under the supervision of outside labor, could burn the brick on the ground, do the stone, brick and carpenter work, as well as much of the other work, in the construction of the necessary buildings. The expense to the



State would not be near so much as it would cost to put our present prisons into proper condition and of a size sufficient to properly accommodate the prisoners sent there.

*Third.* To relieve the present congested condition of both prisons, and make it possible to properly care for the persons convicted of crime in our State courts, we recommend the passage of a bill to exclude what are known as Federal prisoners therefrom. There are now 35 of such prisoners in the prison North, and 80 in the prison South.

The amount received barely covers the expense of feeding, clothing and guarding them. Nothing is paid on account of the expense caused in erecting or maintaining the prisons themselves. If these 115 convicts were removed, the enlargement of the prisons asked for would be less urgent, and the prisoners of our State could be better housed and cared for. Another reason why this should be done is that the presence of Federal prisoners is very demoralizing in its effects upon the others. Their treatment must be different from that of the other prisoners. They can not be used on contract work, hence they get many of the easy jobs. Because of this there is less to induce a State's prisoner to strive to do better, for no matter how hard he tries there is little to be gained by his efforts, as our prisons have been managed.

*Fourth.* We also recommend the passage of a bill authorizing courts to suspend sentences in cases of minor offenses, giving the custody and care of persons convicted thereof to officials or societies, who can and will supervise the conduct of such convicts and give them a chance to avoid being confined in jail or prison, and if they show a desire to be good citizens to recommend their discharge.

Bills have been prepared in the form thought sufficient and proper to bring about these reforms and will be introduced by this commission, when the duty will rest upon this assembly to make them laws or take the responsibilities of keeping our great State far back in prison reform, civilization and humanitarian progress.

Another and a very important change must be made in our system of prison management, if the best good of the State and those confined therein is to be subserved.



They must be taken out of politics, and while we have not discussed and do not report any plan for so doing, we feel and know, as Senators and individuals, that much if not most of the good that would come to our State by reason of the passage of the bills reported will be lost if the prisons we now have, and that proposed, are not taken out of politics and the best and most efficient officers secured to manage and control them, without regard to their political predilection. That this Legislature may find the right way to accomplish these results is the most earnest wish of this Commission.

CHRISTIAN HOLLER,  
Chairman,

H. C. DUNCAN,

T. E. ELLISON,

Commissioners of Prison Reform.

The report was read.

Senator Holler introduced Senate Bill No. 117, entitled :

A bill for an act to establish, locate and construct the Indiana Reformatory, provide for the appointment of a Board of Managers and other officers to conduct and control the same, and authorizing them to prescribe rules and regulations for the government thereof, and the prisoners therein, the character of persons who may and shall be confined therein, the manner of procedure in the trial of all felony cases except treason and murder in the first and second degrees, when the prisoner is more than sixteen and less than thirty years of age, and the sentences that shall be passed upon such persons, and the manner in which such sentences shall be executed, and authorizing counties, townships and cities to make donations thereto, and the manner of reimbursing their several treasuries, the transfer of prisoners to and from said reformatory and the prisons of this State, and providing an appropriation therefor, and certain other matters relating thereto.

Read first time, and referred to the Committee on Prisons.

Senator Holler introduced Senate Bill No. 118, entitled :

A bill for an act concerning the appointment of Probation Officers in the several counties of the State, defining their powers and duties, fixing their compensation and the manner of

their payment and authorizing Courts having jurisdiction in criminal actions to suspend the execution of sentences in certain cases.

Read first time and referred to the Committee on Prisons.

Senator Holler introduced Senate Bill No. 119, entitled:

A bill for an act to prevent the keeping or confinement of any person as a prisoner in either of the penitentiaries or prisons of this State, other than those sentenced thereto by the Courts of this State.

Read the first time and referred to the Committee on Prisons.

Senator Holler introduced Senate Bill No. 120, entitled:

A bill for an act concerning the procedure in criminal actions and requiring the Court to sentence persons convicted of felonies to an indeterminate period.

Read first time and referred to Committee on Prisons.

Senator Newby submitted the following motion:

I move that the Doorkeeper of the Senate be directed to procure and place in the cloak-room of the Senate a blackboard on which to place the announcements of the committee meetings.

Which was adopted.

Senator Ball, chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate Enrolled Act No. 34, introduced by Senator Shea, have had the same under consideration, and beg leave to report the same as correct.

WALTER L. BALL,  
Chairman.

The report of the committee was concurred in.

At 2:35 o'clock p. m. the Senate was visited by Generals Simeon Bolivar Buckner, of Kentucky, and Lew Wallace, of Indiana.

On motion of Senator Wood, the general business of the Senate was suspended for twenty minutes in honor of the distinguished Generals.

General Buckner was introduced by Lieutenant-Governor Haggard, who briefly addressed the Senate, after which the Lieutenant-Governor introduced General Wallace, who made a short address.

On motion of Senator Collett, the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. AGNEW,  
Assistant Secretary of the Senate.

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## THURSDAY MORNING.

JANUARY 14, 1897.

Senate convened at 10 o'clock A. M., with Lieutenant Governor Haggard in the chair.

The roll being called, the following Senators were present :

Senators Bobilya, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 41.

After a reading of a portion of the Journal, on motion of Senator Hogate the further reading of the Journal was dispensed with.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Towns, to which was referred Senate Bill No. 43, introduced by Senator Gostlin, beg leave to report the same back to the Senate with the recommendation that the same do pass.

H. Q. HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 44, introduced by Senator Gostlin, beg leave to report the same back to the Senate with the recommendation that the same do pass.

H. Q. HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Gostlin moved that the constitutional rule requiring that bills be read on three several days be suspended, that Senate Bill No. 43 be read the second time by title, considered engrossed, read the third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were:

Senators Bethell, Bobilya, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkias, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood.  
Total, 44.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read the second time by title, considered engrossed and read the third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, and Wood. Total, 43.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gostlin moved that the constitutional rule be suspended, that Senate Bill No. 44 be read a second time by title, considered engrossed, read the third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 47.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, and read the third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bobilya, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White and Wood. Total, 44.

None voting in the negative.

The question being, Shall the title as read stand as the title of the act?

It was so ordered.

The following communication was received from the House:

I am directed by the House to inform the Senate that the House has passed House Bill No. 100, entitled:

An act to fix the time of holding Court in the Twentieth Judicial Circuit in the State of Indiana, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Gill moved that the constitutional rule be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White and Wood. Total, 46.

No Senators voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed and read a third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White and Wood. Total, 44.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 90, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill pass.

WILL R. WOOD,  
Chairman.

The report was concurred in and the bill was made a special order for Monday, January 18, at 11 o'clock.

Senator Wood, Chairman of Committee on Fees and Salaries, made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 89, introduced by Senator Duncan, has had the

same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill pass.

W. R. Wood,  
Chairman.

Which report was concurred in.

On motion of Senator Wood the bill was made a special order for Monday, January 18, at 11 o'clock.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 52, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. R. Wood,  
Chairman.

Which report was concurred in.

Senator Ball, Chairman of the Committee on Joint Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Joint Enrolled Bills, to which was referred Senate Enrolled Act No. 33, introduced by Senator Sweeney, has had the same under consideration, and begs leave to report the same as correct.

WALTER L. BALL,  
Chairman.

The report was concurred in.

Senator Ball, Chairman of the Committee on Joint Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Joint Enrolled Bills, to which was referred Senate Enrolled Act No. 28, introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same as correct.

WALTER L. BALL,  
Chairman.

Which report was concurred in.



Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, having considered Senate Bill No. 35, introduced by Senator Bobilya, recommends that the same do pass.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 36, introduced by Senator Bobilya, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following be substituted for Senate Bill No. 36.

WILLIAM F. KERNS,  
Chairman.

A bill for an act to prevent the killing of quails, ruffed grouse and pinnated grouse for a term of two years, and to prevent the destruction of quails, ruffed grouse and pinnated grouse after a term of two years from the taking effect of this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be unlawful for any person to kill within this State any quail, ruffed grouse or pinnated grouse for a term of two years from the taking effect of this act.

SEC. 2. That it shall be unlawful for any person, after a term of two years from the taking effect of this act, to pursue or kill within this State any quail, ruffed grouse or pinnated grouse for purposes of sale, barter, traffic or removal from the State, or to sell, barter, keep, expose or offer for sale, or remove from this State, any quail, ruffed grouse or pinnated grouse caught or killed in the State of Indiana.

SEC. 3. Whoever shall violate any of the provisions of sections one and two of this act shall, upon conviction thereof, be

fined in the sum of one hundred dollars for every quail, ruffed grouse or pinnated grouse so unlawfully pursued, killed, bartered, sold, kept, exposed or offered for sale, or removed from the State.

The report of the committee was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 56, introduced by Senator Johnson of Madison and Grant, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 86, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be referred to the Committee on Railroads.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Lieutenant-Governor ordered the roll-call for the presentation of petitions, memorials and remonstrances.

On request of Senator Early, Senate Bill No. 5 was referred to the Committee on Insurance.

President of the Senate Haggard presented a petition signed by divers and sundry inhabitants of the State of Indiana, who respectfully petition the Legislature to enact a law to entirely

prohibit the manufacture and sale of cigarettes within the State of Indiana, either by any company, partnership, association or individual, and to affix to such law a sufficient penalty as to insure its enforcement.

Which petition was referred to Committee on Public Health.

Senator Wood requested that the Senate door leading to the postoffice of the Senate be opened by 9 o'clock A. M. during the session.

It was so ordered.

Senator Alexander introduced Senate Bill No. 121, entitled :

A bill for an act to amend sections forty-five (45), one hundred and twenty-six (126), one hundred and twenty-nine (129), of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be misdemeanors and prescribing penalties therefor, providing the time when the same shall take effect as to certain officers therein named, and repealing all conflicting laws, approved March 11, 1895, and declaring an emergency.

Bill read first time and referred to Committee on Fees and Salaries.

Senator Duncan introduced Senate Bill No. 122, entitled :

A bill for an act defining the Ninth and Sixteenth Judicial Circuits, and creating and defining the Fortieth Judicial Circuit, fixing times of holding court therein, providing for the appointment and election of judges and prosecuting attorneys and otherwise, regulating the manner of holding courts in said circuits and repealing all laws in conflict therewith.

Read first time and referred to the Committee on Organization of Courts.

Senator Gilbert, by request, introduced Senate Bill No. 123, entitled:

A bill for an act to amend section three (3) of an act entitled an act to establish and maintain the Indiana School for Feeble-Minded Youth, approved March 7, 1887, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Gilbert introduced Senate Bill No. 124, entitled:

A bill for an act to amend section one (1) of an act to require railroad corporations, companies, or persons operating with (in) the State of Indiana to give notice at stations whether passenger trains are on schedule time or not, and affixing a penalty for a violation of the provisions of this act, approved March 9, 1889.

Read first time and referred to Committee on Railroads.

Senator Hawkins introduced Senate Bill No. 125, entitled:

A bill for an act appropriating money for the payment of the claims of the Warren Scharf Asphalt Paving Company on account of paving with asphalt the roadway of Washington street, in front of the grounds belonging to the State of Indiana, and occupied and used by the Institute for the Deaf and Dumb, in the city of Indianapolis, and declaring an emergency.

Read first time and referred to Committee on Claims and Expenditures.

Senator Hogate introduced Senate Bill No. 126, entitled:

A bill for an act fixing the order of the proof and introduction of evidence in certain cases.

Read first time and referred to Committee on Judiciary.

Senator Hogate introduced Senate Bill No. 127, entitled:

A bill for an act concerning highways and the supervisors thereof.

Bill read first time and referred to the Committee on County and Township Business.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 4, entitled a concurrent resolution instructing our Senators and requesting our Congressmen to use all honorable means to secure passage of House of Representatives Bill 3273, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Holler introduced Senate Bill No. 128, entitled :

A bill for an act to amend Section No. 5998 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on County and Township Business.

Senator Houghton, by request, introduced Senate Bill No. 129, entitled :

A bill for an act making it the duty of the Election Commissioners in this State to print on the official ballot the names of candidates of any political party which cast two thousand or more votes at the general election held in November, 1896, and repealing all laws in conflict.

Read the first time and referred to the Committee on Judiciary.

Senator Hugg introduced Senate Bill No. 130, entitled :

A bill for an act providing for an appropriation for the manufacture of embossed printing machines for the Indiana Institution for the Education of the Blind, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Hugg introduced Senate Bill No. 131, entitled :

A bill for an act to amend section three (3) of an act entitled, "An act to provide for the public printing, binding and stationery, and repealing all laws in conflict therewith and declaring an emergency," approved April 13, 1885, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Leich introduced Senate Bill No. 132, entitled :

A bill for an act to amend section 126 of an act entitled "An act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices, and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the time when the same shall take effect as to certain offices therein named, and repealing all conflicting laws," approved March 11, 1895, and declaring an emergency.

Bill read the first time and referred to the Committee on Fees and Salaries.

Senator Leich introduced Senate Bill No. 133, entitled :

A bill for an act to amend section 103 of an act entitled "An act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the time when the

same shall take effect as to certain offices therein named and repealing all conflicting laws," approved March 11, 1895, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Newby introduced Senate Bill No. 184, entitled:

A bill for an act authorizing prosecuting attorneys to administer oaths in certain cases, etc.

Read first time and referred to Committee on Judiciary.

Senator Newby introduced Senate Bill No. 185, entitled:

A bill for an act to regulate the practice of horse-shoeing in the State of Indiana.

Bill read the first time and referred to the Committee on Judiciary.

Senator Nusbaum introduced Senate Bill No. 186, entitled:

A bill for an act relating to actions for the recovery of damages on account of defective appliances, tools, machinery, cars, or engines, and regulating practice and procedure therein.

Read the first time and referred to the Committee on Mines and Mining.

Senator O'Brien, by request, introduced Senate Bill No. 187, entitled:

A bill for an act to permit the State of Indiana to be sued for the enforcement of street assessments in certain cases, and to declare an emergency.

Read first time and referred to Committee on Rights and Privileges.

Senator O'Conner introduced Senate Bill No. 188, entitled:

A bill for an act concerning inclosures, trespassing animals and partition fences, and defining a lawful partition fence; providing for the building, rebuilding, maintaining and repairing thereof by the township trustee, and the assessment by said trustee of an amount sufficient to make such fence lawful,

and providing for the collection thereof and repealing all laws or parts of laws in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Phares introduced Senate Bill No. 139, entitled :

A bill for an act constituting the board of commissioners in each county in this State a board of turnpike directors, providing for the repair of free gravel roads, specifying certain duties to be performed by township trustees, repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Phares introduced Senate Bill No. 140, entitled :

A bill for an act regulating the practice of veterinary medicine and surgery or any branch thereof, and providing for an examining board.

Read first time and referred to the Committee on Public Health.

Senator Shiveley introduced Senate Bill No. 141, entitled :

A bill for an act to repeal section 14 of an act entitled an act concerning promissory notes, bills of exchange, bonds, or other instruments in writing, signed by any person who promises to pay money or acknowledges money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein mentioned, and repealing all laws coming in conflict therewith, approved March 11, 1861.

Read the first time and referred to the Committee on Judiciary.

Senator Shiveley introduced Senate Bill No. 142, entitled :

A bill for an act to amend section 255 of an act entitled an act concerning proceedings in civil cases, approved March 7, 1881, being section 416 of the Revised Statutes of 1894.

Read first time and referred to Committee on Judiciary.



Senator Stroup introduced Senate Bill No. 143, entitled :

A bill for an act to amend section 1 of an "Act to require railroad corporations, companies or persons operating within the State of Indiana to give notice at stations whether passenger trains are on schedule time or not," and affixing a penalty for a violation of the provisions of this act.

Read first time, and referred to Committee on Railroads.

Senator Sweeney, by request, introduced Senate Bill No. 144, entitled :

A bill for an act providing for the laying out and opening of streets and alleys in incorporated towns over public property, railroads and other corporations, and declaring an emergency.

Read the first time, and referred to the Committee on Cities and Towns.

Senator Wood introduced Senate Bill No. 145, entitled :

A bill for an act to prevent the spread and growth of noxious weeds, and providing a penalty for the violation thereof.

Read first time, and referred to Committee on Agriculture.

Lieutenant-Governor Haggard announced to the Senate that he had signed Bills Nos. 28, 33 and 34.

Senator Shiveley moved that when the Senate adjourns it do adjourn until to-morrow morning.

Which motion prevailed.

Senator Collett introduced Senate Concurrent Resolution No. 4:

*Be it resolved by the Senate, the House concurring therein,* That in compliance with the recommendation heretofore made by His Excellency, Claude Matthews, Governor of the State of Indiana, the President of the Senate be, and is, hereby authorized to appoint a committee, consisting of two members, to be selected from the Committee on Benevolent Institutions, who shall, acting with a like committee, to be appointed by the Speaker of the House, visit the Southern Hospital for Insane,

situate near Evansville, and inspect the same and the surrounding premises with a view to ascertain the best method of supplying the same with sufficient drainage, and, if necessary, employ a competent engineer to enable them to make a thorough examination thereof, and that said committee report its proceeding to the Senate at the earliest date possible.

COLLETT.

The resolution was read and adopted.

Senator Holler introduced Senate Concurrent Resolution No. 6:

*Resolved*, That the Auditor of State be requested to furnish for the information of the General Assembly, a statement showing the gross amount of moneys received from the sale of swamp lands under the act of 1883, page 170, and the acts of 1889, pages 221 and 307, relating to the sale of such lands; the gross amount received from the sale of certain swamp lands in Jasper and Newton Counties referred to in the record of his office as "Bright Lands;" also a statement of the amount of swamp land funds and the amount of proceeds of swamp land sales that have in pursuance of legislative enactment, or otherwise, been transferred at any time to the common school fund, giving the date of each of such transfers, if any, and showing whether any of said funds so transferred have been loaned out as school funds, or otherwise, and if so, what, if any, amount of interest has been received upon such loans.

Which resolution was adopted.

Senator Nusbaum (by request) offered the following petition:

*To the General Assembly of the State of Indiana, the Senate and House of Representatives, session A. D. 1897:*

WHEREAS, There are within the State of Indiana ninety-two Clerks of the Circuit Court, working under the same law, with no two of them using the same blanks, forms and records, thereby causing great expense, trouble and confusion. Therefore, the undersigned, Clerk of Clinton Circuit Court of the State, in order to lessen the expense, avoid the trouble, and believing that a uniform system of Clerks' records and forms would be a material benefit to all persons having occasion to

use the same, do hereby petition your honorable body for the enactment of such laws and regulations as will establish and maintain a uniform system of blanks, books and forms.

And I further believe that the same can best be had by the creation of a commission composed of Clerks of the Circuit Court and attorneys, who shall be clothed with authority to draft a uniform system of Clerks' books and forms for the use of the various Clerks of the State.

[SEAL.]

RICHARD C. CLARK,  
*Clerk Clinton Circuit Court, and others.*

Dated Frankfort, Ind., December 24, 1896.

Read and referred to Committee on Fees and Salaries.

On motion of Senator Holler the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. ENNES,  
Assistant Secretary of the Senate.

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## FRIDAY MORNING.

JANUARY 15, 1897.

Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard, President of the Senate, in the chair.

Prayer was offered by Rev. F. Finkbeiner, of the Second Evangelical Church of Indianapolis.

The roll being called, the following Senators were present:

Senators Alexander, Bobilya, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Conner, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White and Wood. Total, 44.

After reading a portion of the journal, on motion of Senator Houghton the further reading was dispensed with.

Senator Early asked permission to present the report of the Committee on Rules out of its regular order.

Consent being given, the following report was read:

Lieutenant-Governor Haggard, chairman *ex-officio* of the Committee on Rules, made the following report:

MR. PRESIDENT:

Your Committee on Rules begs leave to submit the following report:

The standing rules and orders for the government of the Senate as adopted by the Senate at the regular session of 1895 shall be the standing rules and orders for the government of this body, except as herein amended.

Rule No. 8 shall be amended so as to read as follows:

8. Thirty-seven standing committees, not to exceed seven members each, except as herein otherwise stated, shall be selected and appointed by the Lieutenant-Governor:

*First.* On Elections.

*Second.* On Finance.

*Third.* On Judiciary, to consist of eleven members.

*Fourth.* On Organization of Courts.

*Fifth.* On Education.

*Sixth.* On Corporations.

*Seventh.* On Roads.

*Eighth.* On Benevolent and Reformatory Institutions.

*Ninth.* On Agriculture.

*Tenth.* On Banks.

*Eleventh.* On Public Printing.

*Twelfth.* On Public Buildings and State Library.

*Thirteenth.* On State Prisons.

*Fourteenth.* On Swamp Lands and Drains.

*Fifteenth.* On Fees and Salaries, to consist of one member from each Congressional District.

*Sixteenth.* On Claims and Expenditures.

*Seventeenth.* On Military Affairs.

*Eighteenth.* On Phraseology, Arrangement of Bills and Unfinished Business.

*Nineteenth.* On Federal Relations, Rights and Privileges of the Inhabitants of the State.

*Twentieth.* On Temperance.

*Twenty first.* On County and Township Business.

*Twenty-second.* On Public Health, Vital and Other Statistics.

*Twenty third.* On Insurance.

*Twenty-fourth.* On Railroads.

*Twenty-fifth.* On Mines, Mining and Manufactures.

*Twenty-sixth.* On Congressional Apportionment, to consist of one member from each Congressional District.

*Twenty-seventh.* On Legislative Apportionment, to consist of one member from each Congressional District.

*Twenty-eighth.* On the Supervision and Inspection of the Journal of the Senate.

*Twenty-ninth.* On Executive Appointments.

*Thirtieth.* On Cities.

*Thirty first.* On Labor and Labor Statistics.

*Thirty-second.* On Rules.

*Thirty-third.* On Natural Gas Legislation.

*Thirty fourth.* On Constitutional Revision.

*Thirty-fifth.* On Building and Loan Associations.

*Thirty sixth.* On the Affairs of the City of Indianapolis.

*Thirty seventh.* On Soldiers' and Sailors' Monument.

Rule No. 21 shall be amended so as to read as follows :

21. When a motion is made and seconded it shall be stated by the presiding officer, or, if in writing, it shall be handed to the Secretary and then read aloud, before debated.

All of which is respectfully submitted.

THE LIEUTENANT-GOVERNOR,  
Chairman, *ex-officio*.

Senator Early moved the adoption of the report.

The motion prevailed and the report was adopted.

The President of the Senate announced that he had added the names of Senators LaFollette and Shea to the Committee on Judiciary.

Which report was concurred in.

The President of the Senate also announced the Committee on Building and Loan Associations, as follows:

Senators LoFollette, McCord, Duncan, Ball, Hubbell, O'Connor and Sweeney.

Which was concurred in.

Senator McCord offered the following motion:

MR. PRESIDENT:

I move that all bills in reference to building and loan legislation, heretofore assigned to committees of the Senate, be reported back by the respective chairmen, and that the same be then referred to Committee on Building and Loan Associations.

McCord.

Motion carried.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 171, entitled:

An act to legalize the incorporation of the town of Keystone, Indiana, and the same is herewith transmitted for the action of the Senate.

B. F. PRATHER,  
Clerk.

Which communication and House Bill No. 171 were referred to the Committee on Cities and Towns.

Senator Rinear requested that Senator Humphreys be excused on account of sickness.

Which request was granted.

Senator Ball, Chairman of Committee on Phraseology and Arrangement of Bills and Unfinished Business, made the following report:

MR. PRESIDENT:

We, your Committee on Phraseology and Arrangement of Bills and Unfinished Business, beg leave to report to the Senate that Enrolled Joint Resolution No. 3, passed by the General Assembly of the State of Indiana, in 1895, and Joint Resolution No. 1, passed by the General Assembly in 1895, are pending as unfinished business, and we recommend that the same be referred to the Committee on Revision of the Constitution.

WALTER L. BALL,  
Chairman.

The report was concurred in.

A roll-call was ordered for the introduction of Bills.

Senator Collett introduced Senate Bill No. 146, entitled:

A bill for an act providing that electric light works owned and operated by an incorporated city in this State shall be governed and managed by a Board of three Trustees, to be elected at the regular city election and prescribing their powers and duties; to provide funds for the erection and construction of such works, and regulating the method of assessing and collecting electric light bills.

Read first time and referred to the Committee on Cities and Towns.

Senator Duncan introduced Senate Bill No. 147, entitled:

A bill for an act providing for the discharge of prisoners from State prisons, making an appropriation to carry the same into effect, repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to the Committee on Prisons.

Senator Duncan introduced Senate Bill No. 148, entitled :

A bill for an act prescribing certain duties of Township Trustees, providing for the appointment and compensation of an Auditing Board, prescribing its duties and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Duncan introduced Senate Bill No. 149, entitled :

A bill for an act defining certain duties of Boards of Commissioners in making allowances, and defining certain duties and prescribing liabilities of County Auditors in drawing warrants therefor.

Read first time and referred to the Committee on County and Township Business.

Senator Gilbert introduced Senate Bill No. 150, entitled :

A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith.

Read first time and referred to the Committee on Legislative Apportionment.

Senator Gilbert introduced Senate Bill No. 151, entitled :

A bill for an act dividing the State of Indiana into Congressional Districts, naming the counties constituting each of said districts, and repealing all laws and parts of laws in conflict therewith.

Bill read the first time and referred to the Committee on Congressional Apportionment.

Senator Gochenour introduced Senate Bill No. 152, entitled :

A bill for an act to legalize the sale of cigarettes, and providing penalties for violations of the same.

Read the first time and referred to the Committee on Public Health.



Senator Gostlin introduced Senate Bill No. 153, entitled :

A bill for an act to amend section one (1) of an act entitled "An act for the safety and comfort of certain of the employes of street railway companies," approved March 7, 1895.

Read first time and referred to Committee on Judiciary.

Senator Horner introduced Senate Bill No. 154, entitled :

A bill for an act to amend an act entitled an act providing the means for securing the health and safety of persons employed in coal mines, providing penalty for the violation thereof and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Mines and Mining.

Senator Hugg introduced Senate Bill No. 155, entitled :

A bill for an act concerning actions for damages on account of negligence, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator LaFollette introduced Senate Bill No. 156, entitled :

A bill for an act concerning the powers and duties of the Boards of Trustees of towns and the Common Councils of cities, and the Boards of County Commissioners in relation to the construction of gravel roads or macadamized roads upon the lines between cities and towns and the adjoining township or townships, and providing for the mode and manner of making improvements along such roads and keeping the same in repair, and providing the mode and manner of enforcing the payment of the costs of such road improvements, and permitting towns or cities and the Boards of County Commissioners to issue bonds to anticipate the collection of the assessments for such improvement, providing for the joint meeting of the Boards of Trustees of towns or the common councils of cities, and the Board of County Commissioners, and declaring an emergency.

Bill read the first time and referred to the Committee on Cities and Towns.

Senator Leich introduced Senate Bill No. 157, entitled:

A bill for an act to provide for the building of flood-gates in ditches having an outlet in water courses and which drain over-flowed lands.

Read first time and referred to Committee on Swamps and Drains.

Senator Self introduced Senate Bill No. 158, entitled:

A bill for an act to amend the first, second and third sections of an act entitled an act to amend the first, second and third sections of an act entitled an act regulating the sale of county property and the letting of building bridges, fences and monuments and declaring an emergency, approved December 22, 1872, the same being section 4243, 4244 and 4245 of the Revised Statutes of Indiana, approved March 11, 1875, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Self introduced Senate Bill No. 159, entitled:

A bill for an act to amend section thirty-one of an act entitled an act for the relief of the poor, approved June 9, 1852, same being section 6095 of the Revised Statutes of 1881 of the State of Indiana.

Read the first time and referred to the Committee on County and Township Business.

Senator Shiveley introduced Senate Bill No. 160, entitled:

A bill for an act for the incorporation of associations for the purpose of acquiring and owning real estate, and of acquiring or erecting and maintaining buildings to be used or occupied in whole or in part for offices, meetings and other purposes, or in any way for the accommodation or convenience of Lodges or bodies of Knights of Pythias, and of other similar organizations, prescribing the powers, rights and privileges of such corporations and their duties, obligations and liabilities, providing for the conduct and government of such corporations, and declaring an emergency.

Read first time, and referred to Committee on Corporations.

Senator Watson introduced Senate Bill No. 161, entitled :

A bill for an act concerning night ferries.

Read first time and referred to the Committee on Judiciary.

Senator Watson introduced Senate Bill No. 162, entitled :

A bill for an act to amend section 169 of the act entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency," approved March 6, 1891.

Read first time and referred to Committee on Judiciary.

The list of committees was called for reports.

Senator Mull, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

Your Committee on Finance, to which was referred the resolution of Senators Hogate and Hugg, asking that Leo Lefkowitzki be retained as messenger and page, begs leave to report that they have had the said resolution under consideration, and say that, while they sympathize with Lefkowitzki and desire that he might be retained as messenger and page, yet, in view of the fact that the Senate is already fully supplied with messengers and pages as contemplated by the acts of 1895, page 50, we do not feel that it would be prudent to now open the doors for the employment of any extra force above that prescribed by said act.

We therefore report the resolution back with the recommendation that the same do not pass.

MULL,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 31, introduced by Senator Hogate, has had the same

under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 104, introduced by Senator New, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 96, introduced by Senator Gilbert, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the following substitute for section 1 of said bill be made, and that said bill as substituted do pass:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall not be lawful to take, catch or kill, or attempt to take, catch or kill, any fish in any of the waters of this State except Lake Michigan and the Ohio River, and except also any private pond, by means of any spear, seine, pound net, gill net, dip net or any other kind of net, trap or set line, or to kill or destroy, or attempt to kill or destroy, any fish by means of dynamite or other explosive compounds or substance, or by the use of Indian cockle, fish berries or any other substance which has a tendency to stupefy or poison the fish; or to take, catch, kill or destroy any fish in any manner whatever except with a hook and line, which line shall be held

in the hand or be attached to a pole or rod which is held in the hand, and no line shall be used which has to exceed three (3) hooks attached thereto. That the provisions of this act shall not apply to the taking of minnows for bait with a seine not to exceed twelve feet in length, the meshes of which seine shall not be less than three-eighths of an inch.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 99, introduced by Senator Gochenour, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following substitute for said bill be made and that said bill, as substituted, do pass:

A bill for an act to compel justices of the peace to procure and use a seal in making their acknowledgments, all deeds, mortgages, etc., good anywhere in the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That all the justices of the peace holding offices on the first day of September, 1897, or who may thereafter be elected to said office, shall not be authorized to act in said office until they shall have procured such a seal as will stamp upon paper a distinct impression in words and letters sufficiently indicating his official character and the county and township in which he has been elected to serve as such officer.

SEC. 2. All acknowledgments taken by a justice of the peace and attested by a seal, as mentioned in the first section of this act, shall be valid anywhere in the State of Indiana.

SEC. 4. All laws and parts of laws in conflict with this act are hereby repealed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 88, introduced by Senator Collett, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following substitute for section two (2) of said bill be made, and that said bill as substituted do pass :

Section 2. Any person who shall violate any of the provisions of section 1 of this act, shall, upon conviction, be fined in the sum of \$5.00 for each bird so killed, trapped or destroyed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Drummond moved to recommit Senate Bill No. 99 to the Committee on Judiciary.

Which motion prevailed.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 92, introduced by Senator Alexander, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by striking out the emergency clause ; that when said emergency clause is so stricken out, that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Shiveley, Chairman of Committee on Organization of Courts, submitted the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred Senate Bill No. 1, introduced by Senator Bethell, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHAS. E. SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Shiveley moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 1 be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Campbell, Collett, Drummond, Duncan, Ellison, Gill, Goar, Gochenour, Goodwin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 43.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read the second time by title, considered engrossed, and read the third time by sections.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Campbell, Collett, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich,

McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 44.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 48, introduced by Senator Holler, have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 10, introduced by Mr. Houghton, have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that the said bill do pass.

L. SCHNECK,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 50, introduced by Mr.



Horner, have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

NEWTON W. GILBERT,  
Chairman.

Which report was concurred in.

Senator LaFollette, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 79, introduced by Senator McCord, begs leave to report that it has had the same under consideration, and recommends that the same do pass.

J. J. M. LAFOLLETTE,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 2, introduced by Senator Bobilya, begs leave to report the same back to the Senate with the recommendation that it be referred to the Committee on Agriculture.

HOUGHTON,  
Chairman.

Which report was concurred in, and the bill was referred to the Committee on Agriculture.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 13, introduced by Senator Hubbell, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 60, introduced by Mr. McCord, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be referred to Committee on State Library.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 101, introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Newby offered Senate Resolution No. 17, as follows:

WHEREAS, Each of the several groups of committees of this Senate has been supplied with a stenographer; and,

WHEREAS, Said corps of stenographers is ample to perform all the work required of them by the several committees, and to prepare the several bills that the Senators may wish to submit to the Senate; and,

WHEREAS, Each one of said stenographers has supplied herself with a typewriter; be it, therefore,

*Resolved*, That it be a rule of this Senate that any and all bills before being presented for the consideration of this body shall be typewritten or printed.

NEWBY.

Which resolution was adopted.

Senator Holler offered Senate Resolution No. 18, as follows :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred the report of the Commission on Prison Reform, would report that having examined the same, they are of the opinion that the same should be printed, and therefore ask that five hundred copies of such report be printed for the use of the Senate.

HOLLER,  
Chairman.

Which resolution was adopted.

Senator New offered Senate Resolution No. 19, as follows :

*Resolved*, That the Principal Secretary be directed and authorized, and he is hereby directed and authorized, to employ C. A. Almes for five days in the capacity of chief *pro tem.*, of the enrolling room, and Charles Kelly for ten days as endorsing clerk *pro tem.*, both at the usual rate, for the purpose of organizing the enrolling force and instructing the permanent endorsing clerk, being in addition to the regular force.

NEW.

Which resolution was adopted.

Senator Bobilya moved that when the Senate adjourn that it do adjourn until Monday, January 18, at 2 o'clock P. M.

Which motion was lost.

Senator Hawkins requested that Senator Hubbell be granted a leave of absence until Monday P. M. at 2 o'clock.

Senator Drummond objected to the granting of the request.

Senator Shiveley moved that Senator Hubbell be excused.

Which motion prevailed.

Senator Sweeney asked that Senator Bobilya be excused until next Monday.

Which request was granted.

The President of the Senate ordered a roll-call for second reading of bills.

Senator Early called up for second reading Senate Bill No. 1.

Senator Ellison raised the point of order that the bill should be laid on the table for one day.

Which point was sustained.

Senator Alexander moved that Senate Rule No. 59 be suspended.

Which motion was carried.

Senate Bill No. 5 was read a second time by title.

Senator Watson offered the following amendment.

MR. PRESIDENT:

I move to amend section 8, line 18, by striking out the words "or Justice of the Peace."

WATSON.

On motion of Senator Ellison, Senate Bill No. 5, with the amendment, was made a special order for Monday, January 18, at 2 o'clock P. M.

Senate Bill No. 62 was read a second time by title.

Senator Newby offered following amendment to Senate Bill No. 62. I move the amendment of Senate Bill No. 62, as follows:

Section 3. The period of the existence of said Appellate Court shall be four years from the first day of March, 1897, and no longer, at the end of which time the Supreme Court shall assume jurisdiction of all causes pending in, and other business of said Appellate Court as if this act had never been passed, and that section 3 in the bill be numbered four thereof.

NEWBY.

On motion of Senator Shea, the consideration of this bill and the amendment is made a special order for Tuesday, January 19, at 2:30 o'clock P. M.

Senator Shiveley moved that Senator Collett be excused until Monday morning, January 18, 1897.

Motion carried.

Senator Johnston of Dearborn moved that the Senate do now adjourn.

Motion did not prevail.

Senator Watson moved that when the Senate adjourns it do adjourn until 10 o'clock to-morrow.

Motion did not prevail.

Senate Bill No. 16 was read a second time by title.

Senator Hawkins moved that when the Senate adjourns it do adjourn until to-morrow morning at 10 o'clock.

Senator Early moved that the motion be amended by striking out the word "to-morrow" and inserting the word "Monday."

The President being in doubt a division of the Senate was ordered.

Upon which the amendment was adopted.

The original motion as amended was then carried.

Senator Early moved that the Senate do now adjourn.

Motion did not prevail.

Senator New moved that the motion of Senator Hawkins as amended be reconsidered.

Motion carried.

Senator Shiveley moved that the motion of Senator Hawkins be amended so as to read :

"When the Senate adjourns it be until Saturday morning."

Motion carried.

By request the following Senators were excused until next Monday :

Senators Alexander, Bethell, Shea, Self and Gill.

By request Senator Duncan was granted a leave of absence for Saturday.

On motion of Senator Shiveley the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. ECKNEW,  
Assistant Secretary of the Senate.

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## SATURDAY MORNING,

JANUARY 16, 1897.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Haggard in the chair.

After reading a portion of the Journal of the preceding day, on motion of Senator New the further reading of the same was dispensed with.

A roll-call was ordered for bills on the second reading.

Senator Hogate called up Senate Bill No. 8 for second reading.

Bill was read a second time by title and ordered engrossed.

Senator Hogate called up Senate Bill No. 47 for second reading.

The bill was read the second time by title and ordered engrossed.

Senator Hubbell called up Senate Bill No. 52 for second reading.

The bill was read the second time by title and ordered engrossed.

Senator Wood called up Senate Bill No. 86 for second reading.

The bill was read the second time by title and ordered engrossed.

Senator Houghton called up Senate Bill No. 11 for second reading.

The bill was read a second time and ordered engrossed.

Senator O'Connor requested that Senator Rogers be excused until next Monday.

Request was granted.

Senator Hubbell asked unanimous consent to introduce certain bills.

Consent granted.

Senator Hubbell, by request, introduced Senate Bill No. 163, entitled :

A bill for an act to require all railroad companies to keep a watchman at all grade crossings where railroads cross each other in this State, except where interlocking switches are used, providing a penalty for the violation of the provisions of this act, and declaring an emergency.

Read the first time and referred to the Committee on Railroads.

Senator Hubbell introduced Senate Bill No. 164, by request, entitled :

A bill for an act to regulate the rental allowed for the use of telephones, and fixing a penalty for its violation.

Read first time and referred to Committee on Corporations.

Senator Hubbell, by request, introduced Senate Bill No. 165, entitled :

A bill for an act to regulate the number of brakemen to be employed by railroad companies upon freight trains operated on railroads in the State of Indiana.

Read first time and referred to Committee on Railroads.

Senator Gochenour introduced Senate Bill No. 166, entitled :

A bill for an act authorizing the Board of County Commissioners to appoint a County Superintendent of Highways.

Read first time and referred to Committee on County and Township Business.

Senator Gochenour introduced Senate Bill No. 167, entitled :

A bill for an act to amend section one of an act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor, and prescribing penalties therefor, providing the time when the same shall take effect as to certain officers therein named, and repealing all conflicting laws. Approved March 11, 1895.

Read first time and referred to Committee on Fees and Salaries.

Senator Phares introduced Senate Bill No. 168, entitled :

A bill for an act to amend section 18 of an act concerning elections, providing penalties for violations, etc., approved March 6, 1889, and also to amend section 6 of an act entitled an act to amend section 26 and other sections of said act, approved March 6, 1889, and also to amend section 9 of an act entitled an act to amend section 45 and other sections of said act. Approved March 6, 1889.

Read first time and referred to Committee on Judiciary.

Senator Gilbert introduced Senate Bill No. 169, entitled :

A bill for an act to authorize school cities and school towns to negotiate and sell bonds to procure means with which to erect and complete unfinished school buildings, and to purchase any ground and building for school purposes, and to pay bonds and debts heretofore contracted for such erection and



completion and purchase of buildings and grounds, and authorizing the levy and collection of an additional special school tax for the payment of such bonds, and repealing all laws in conflict therewith.

Read first time and referred to Committee on Cities and Towns.

Senator Gilbert introduced Senate Bill No. 170, entitled:

A bill for an act to amend section forty-eight (48) and two hundred and fifty-five (255) of an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency. Approved March 6, 1891, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

The following message was received from the Governor:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Bill No. 28, relating to the time of holding court in the Seventeenth Judicial Circuit.

Also, Senate Bill No. 33, relating to the time of holding court in the Fifty-seventh Judicial Circuit.

Also, Senate Bill No. 34, relating to the time of holding court in the Sixth Judicial Circuit.

All of which bills have been duly deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

To the Honorable President of the Senate.

Senator Hawkins introduced Senate Bill No. 171, entitled:

An act appropriating money for the payment of the claims of the Indiana Bermudez Asphalt Company, on account of paving with asphalt and wooden blocks the roadways of Vermont, Saint Clair and Meridian streets, and the intersections of Washington street, where the said improvements abut the grounds belonging to the State and occupied and used by the

Institute for the Blind, the Institute for the Deaf and Dumb, and University Square, in the city of Indianapolis, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senator Kerns asked unanimous consent to present a memorial.

The following memorial was presented by Senator Kerns, by request:

*To Hon. W. F. Kerns, State Senator of Parke and Vermillion Counties:*

We, the teachers of Helt Township, Vermillion County, in institute assembled, beg leave to submit to the Legislature our views in regard to the proposed school legislation:

*Resolved*, That we at this time are opposed to the proposition compelling Township Trustees to furnish high-school accommodations to graduates of the common school branches.

*First*. Because it would withdraw the public money from the common schools of the township to the detriment of the same.

*Second*. It would thus deprive the poorer class of pupils of the township of the benefits of a large percentage of the public school funds, in that they would be unable to avail themselves of the benefits of said high-school course, and the term of the said common schools of the township shortened.

*Resolved*, That we are opposed to the State Superintendent examining all the manuscripts of applicants to teach, for the following reasons:

*First*. It would be a matter of impossibility for him to do so. He must appoint some one to do the work who in many instances may not be in touch with the common schools of the county.

*Second*. The County Superintendent is the only man that can be in touch with the schools of his county, hence is the only person capable of passing on the fitness of the applicant.

*Third*. Any act that detracts from the importance of the office of County Superintendent will in that respect detract from the efficiency of our country schools.

*Be it further resolved,* That we favor a law providing for the qualification of County and State Superintendents. That the County Superintendent hold a license valid for two years, and that he shall have had five years actual experience in teaching in the public schools of the State. That the State Superintendent shall be a graduate of some one of our State institutions.

*We further resolve,* That the State levy for schools be changed from eleven cents to sixteen cents.

J. T. HUNTER,  
E. E. DAVIS,  
LEILA MACK,  
Committee.

Which memorial was referred to the Committee on Education.

A roll-call was ordered of the standing committees for the presentation of reports.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 111, introduced by Senator Mull, have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that said bill do pass.

NEWTON W. GILBERT,  
Chairman.

The report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 65, introduced by Mr. Nusbaum, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the following sections be substituted for section five (5) and section six (6).

Section 5. That no allowance shall be made by any Board of County Commissioners for any claim against the county, unless the claimant shall file with such Board of County Commissioners a detailed statement, duly verified, of all the items and dates of charge, nor until such competent proof thereof is adduced in favor of such claim as is required in other courts, and no claim shall be otherwise allowed.

Section 6. That any County Auditor or any member of the Board of County Commissioners violating any of the provisions of this act shall, upon conviction thereof, be fined in any sum not less than fifty dollars for each offense, and any such Auditor shall be liable on his official bond in double the amount of such warrant so drawn, which may be recovered by any tax-payer of the county for the use and benefit of such county, and the court trying the same shall allow such taxpayer a reasonable compensation, including reasonable attorney's fees, for the trouble and expense incurred in prosecuting such suit to be named in the order.

We further recommend that section six (6) be numbered section seven (7). With this substitution, we recommend that the bill do pass.

NEWTON W. GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 64, introduced by Senator Nusbaum, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

NEWTON W. GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

**MR. PRESIDENT:**

Your Committee on County and Township Business, to which was referred Senate Bill No. 7, introduced by Senator Gostlin, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

NEWTON W. GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

**MR. PRESIDENT:**

Your Committee on County and Township Business, to which was referred Senate Bill No. 25, introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEWTON W. GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

**MR. PRESIDENT:**

Your Committee on County and Township Business, to which was referred Senate Bill No. 128, introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

NEWTON W. GILBERT,  
Chairman.

The report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

**MR. PRESIDENT :**

Your Committee on County and Township Business, to which was referred Senate Bill No. 32, the same being a bill for an act concerning the appointment of a Public Examiner, introduced by Mr. Schneck, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

**NEWTON W. GILBERT,**  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

**MR. PRESIDENT :**

Your Committee on County and Township Business, to which was referred Senate Bill No. 93, introduced by Mr. Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

**NEWTON W. GILBERT,**  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of Committee on County and Township Business, made the following report:

**MR. PRESIDENT :**

Your Committee on County and Township Business, to which was referred Senate Bill No. 69, introduced by Mr. Self, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

**NEWTON W. GILBERT,**  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 27, the same being a bill for an act to protect the people of Indiana by requiring all persons selling at retail, or compounding for sale at retail, any poison, etc., to be duly licensed; providing for the establishment and regulation of a Board of Pharmacy, and for the maintenance thereof; the time of its examinations; providing a penalty for the violation of this act, and declaring an emergency, introduced by Mr. Holler by request, has had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

C. S. GOAR,  
Chairman.

The report was concurred in.

Senator Shiveley asked unanimous consent to introduce a bill.

Consent granted.

Senator Shiveley introduced Senate Bill No. 172, entitled:

A bill for an act regulating descents and the apportionment of estates, and defining the rights of second or subsequent childless wives and the rights of children by former wives, and legalizing conveyances heretofore made by such childless wives, also conveyances made by children by former wives, their guardians, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hawkins offered the following Senate Concurrent Resolution No. 5:

WHEREAS, The State of Indiana is the owner of a piece of ground situate on East Washington Street, in the city of Indianapolis, lying north of the Institution for the Education of the Deaf and Dumb, consisting of about fifteen acres. Said ground is bounded on the north by Ohio Street, on the east by the first alley lying west of Johnson Avenue, on the south by Washington and on the west by Randolph Street; and,

WHEREAS, Said grounds are surrounded by the city of Indianapolis, and there are no drives or passage-ways through, to the great inconvenience of the citizens of said city; and,

WHEREAS, Said grounds are of no practical use to the State of Indiana at this time; and,

WHEREAS, The city of Indianapolis, through her Board of Park Commissioners, has asked for permission to take charge of said grounds, and to beautify the same and to make the same into a public park, without expense to the State of Indiana; therefore, be it

*Resolved by the Senate, and the House of Representatives concurring,* That the possession of the grounds lying north of the Institution for the Education of the Deaf and Dumb, situated in the City of Indianapolis, and bounded on the north by Ohio street, on the east by the first alley west of Johnson avenue, on the south by Washington street, on the west by Randolph street, is hereby turned over to the city of Indianapolis, the same to be beautified and made into a public park by said city, without expense to said State; the title to remain in the State.

Read and referred to Committee on Public Buildings.

Senator Hogate moved that the Senate do now adjourn until next Monday morning.

Motion carried.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## MONDAY MORNING.

JANUARY 18, 1897.

The Senate met at 10 o'clock with Lieutenant-Governor Haggard in the Chair.

Prayer was offered by Rev. Cleveland, of Minnesota.



On motion of Senator Hogate, the reading of the Journal was dispensed with.

Senator Ellison requested leave of absence of Senator Sweeney on account of sickness, which was granted.

The roll was then ordered called for the report of committees.

Senator Hawkins offered Senate Resolution No. 20:

*Resolved*, That Tuesday, January 19, 1897, at 10:30 o'clock A. M., be fixed as the time for placing in nomination and voting for candidate for the office of United States Senator.

HAWKINS.

Which resolution was adopted.

The roll was then called for the introduction of bills.

Senator Wood introduced Senate Bill No. 173, entitled:

A bill for an act providing that all claims for material furnished and personal injuries received shall be prior lien against property of railroad companies and corporations.

Read first time and referred to the Committee on Judiciary.

Senator Collett introduced Senate Bill No 174, entitled:

A bill for an act to provide for the improvement of the Northern Hospital for Insane.

Read first time and referred to Committee on Benevolent Institutions.

Senator Collett introduced Senate Bill No. 175, entitled:

A bill for an act for the maintenance of the Northern Hospital for Insane.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Duncan introduced Senate Bill No. 176, entitled:

A bill for an act authorizing counties, cities, towns and townships to make donations to educational institutions, providing the means for raising the money therefor, and declaring an emergency.

Read first time and referred to Committee on Education.

Senator Duncan introduced Senate Bill No. 177, entitled:

A bill for an act for the protection of public highways and free gravel, stone and macadamized roads, of public highways and free turnpikes and gravel roads.

Read first time and referred to Committee on County and Township Business.

Senator Ellison introduced Senate Bill No. 178, entitled:

A bill for an act to authorize the better care and control of orphan, dependent, neglected and abandoned children, providing for the establishment, government and maintenance of associations and asylums, the appointment of agents, an appropriation for the payment of the expenses of such agents, regulating the retention of children in county poor asylums, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Gilbert introduced Senate Bill No. 179, entitled:

A bill for an act making it unlawful for any officer of the State of Indiana, or any member of the General Assembly of the State of Indiana, to accept or use any railroad pass or other free conveyance of any railroad, and providing penalties therefor

Read first time and referred to Committee on Railroads.

Senator Gilbert introduced Senate Bill No. 180, entitled:

A bill for an act making it unlawful for any Judge of this State to accept or use any railroad pass, or other free conveyance over any railroad, and providing penalties therefor.

Read the first time and referred to the Committee on Railroads.

Senator Hugg introduced, by request, Senate Bill No. 181, entitled:

A bill for an act providing for the appointment of special Justices of the Peace, prescribing the duties and compensation of such special Justices of the Peace, fixing the responsibility for their acts, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator LaFollette introduced Senate Bill No. 182, entitled:

A bill for an act to amend section fourteen (14) of an act entitled "An act concerning liens of mechanics, laborers and material men," in force March 6, 1883, being section 7267 of Burns' Revised Statutes of 1894, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Leich introduced Senate Bill No. 183, by request, entitled:

A bill for an act supplemental to an act entitled an act to provide for organizing and regulating the business of life insurance corporations, associations and societies transacting business on what is known as the assessment plan, and fixing penalties for the violation of its provisions, and declaring an emergency (approved March 9, 1883), and to define the meaning of the words "assessment plan" as used in said act.

Read first time and referred to Committee on Insurance.

Senator Leich introduced, by request, Senate Bill No. 184, entitled:

A bill for an act to provide for the better security of the holders of policies of life insurance issued by life insurance companies organized in this State, by the deposit of securities with the Auditor of State in certain cases and the maintenance thereof, regulating the manner and conditions of such deposit, and the withdrawal, change or substitution of such securities, prescribing the duties of the Auditor of State in relation thereto, and specifying the contracts of insurance which may be made by life insurance companies making and maintaining such deposits.

Read first time and referred to Committee on Insurance.

Senator Newby introduced Senate Bill No. 185, entitled :

A bill for an act to amend sections three (3) and five (5) of an act approved March 6, 1891, the same being an act entitled act to amend sections 2, 15, 19, 23, 26, 29, 34, 44, 45, 46, 47, 49, 52 and 65 of an act entitled an act concerning elections, providing penalties for the violation of the same and repealing all laws in conflict therewith, approved March 6, 1889.

Read first time and referred to Committee on Judiciary.

Senator Self introduced Senate Bill No. 186, by request, entitled :

A bill for an act authorizing cities in this State which have heretofore passed ordinances granting to water works companies the right to lay down pipes and water mains in and through the streets of said city; to erect water works for supplying such cities and the residents thereof with water, and which, in such ordinance, have retained the right to purchase any such water works, with its property and rights, at the end of a specified period; to issue bonds and secure the same by a mortgage upon such water works property, its rights and franchises, and to levy a tax to guarantee the payment of the interest on such bonds; to provide for a sinking fund for the redemption of the same, for the regulation and government of said water works when so purchased by such cities, and to regulate other matters connected therewith, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator Shiveley introduced Senate Bill No. 187, entitled :

A bill for an act to amend section 117 of an act entitled "An act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the

time when the same shall take effect as to certain offices therein named, and repealing all conflicting laws, approved March 11, 1895, and declaring an emergency."

Read first time and referred to the Committee on Fees and Salaries.

Senator Stroup introduced Senate Bill No. 188, entitled:

A bill for an act to encourage agriculture and horticulture, and agriculture and horticulture fairs, by the purchase of real estate for such purposes.

Read first time and referred to the Committee on Agriculture.

Senator Watson introduced Senate Bill No. 189, entitled:

A bill for an act to amend section three hundred and ten (310) of an act entitled an act concerning proceedings in criminal cases, approved April 19, 1881, being section 1888 of the R. S. of 1881 and section 1961 of Burns' Revision of 1894.

Read first time and referred to Committee on Judiciary.

Senator Wood introduced Senate Bill No. 190, entitled:

A bill for an act providing for the survival of claims for personal injuries, when appeal is taken from judgment of trial court thereon, and when reversal of same is had, and when person obtaining such judgment dies pending appeal, or before new trial thereof.

Read first time and referred to Committee on Judiciary.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 48, entitled an act to legalize the incorporation of the town of Lowell, and the same is herewith returned for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also, I am directed by the House to inform the Senate that the House has concurred in Engrossed Senate Concurrent Resolution No. 6, and the same is herewith returned for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also, I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 6, requiring Senators and Representatives in Congress to vote, etc.

And the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also, I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 7, for the appointment of a committee to visit the Southern Hospital.

And the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

#### House Concurrent Resolution No. 6:

WHEREAS, An amendment herewith attached is now pending in the Congress of the United States, to the Civil Service Law, granting certain rights and privileges to the ex-soldiers, sailors and marines; and,

WHEREAS, We are heartily in favor of said amendment being pushed to a finish and passed; therefore, be it

*Resolved by the House of Representatives, the Senate concurring,* That our Senators be instructed, and our Representatives be requested to use every honorable means to secure the passage of this amendment, which reads as follows, viz:

*First.* That all honorably discharged soldiers and sailors of the Union army, navy or marine service shall be eligible to appointment or promotion in the classified service without examination or age limit, said appointments to be made upon the

applicant presenting his honorable discharge and recommendations as to his fitness for the position he seeks.

*Second.* All honorably discharged persons from the Union Army, Navy or Marine Service of the United States who have been dismissed from positions held by them in the classified service of the United States, shall be restored to the positions formerly held by them; and the Civil Service Commission is hereby authorized and required to make such order as will carry out the provisions of this section. Any person so discharged shall be reinstated upon filing his application for reinstatement upon such blanks as said Commission shall furnish.

*Third.* And said Commission shall declare vacancies for the purpose of carrying out the provisions of this act when application for reinstatement by such discharged Union soldier, sailor or marine of the Union Army or Navy is made.

*Fourth.* Any ex-Union soldier, sailor or marine, who is now or may hereafter be in the classified service and is not on the rolls of copyist or clerks, shall be eligible to promotion in any grade without competitive examination.

*Fifth.* Whenever it becomes necessary for reduction of the force in any of the executive departments, all honorably discharged soldiers, sailors or marines, or the widow of any soldier, sailor or marine, shall be exempt from dismissal, provided they are competent to perform such duties. One year of continued service shall be evidence of competency.

And the Clerk of the House of Representatives of the State of Indiana and the Secretary of the Senate are hereby instructed and directed to forward certified copies of this resolution to each of our Senators and Representatives in Congress.

Received in Senate and referred to Committee on Federal Relations.

#### House Concurrent Resolution No. 7:

*Be it resolved by the House, the Senate concurring therein, That in compliance with the recommendation heretofore made by His Excellency, Claude Matthews, Governor of the State of Indiana, the Speaker of the House be and he is hereby authorized to appoint a committee, consisting of two members, to be*

selected from the Committee on Benevolent Institutions, who shall, acting with a like committee to be appointed by the President of the Senate, visit the Southern Hospital for the Insane, situate near Evansville, and inspect the same and the surrounding premises with a view to ascertain the best method of supplying the same with sufficient drainage, and, if necessary, employ a competent engineer to enable them to make a thorough examination thereof, and that said committee report its proceedings to the House at the earliest date possible.

Referred to Committee on Finance.

Senate Bill No. 89, having been made a special order for 11 o'clock, was called up for action by the Senate.

Senator Duncan moved that the bill be considered engrossed.

Which motion was carried.

Senator Duncan moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read a second time by title and a third time by sections, and put upon its passage.

The question being, Shall the constitutional rules be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien O'Connor, Patton, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White and Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended, and the bill was read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?



Those voting in the affirmative were :

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Holler, Hogate, Horner, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senate Bill No. 90 was read a second time.

Senator Duncan moved to amend the bill by changing the word "theretofore" to "heretofore."

Which motion prevailed.

Senator Wood moved that the bill be considered engrossed.

Which motion prevailed.

Senator Wood moved that the constitutional rule requiring that bills be read on three several days be suspended, and that the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Conner, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Watson, White, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator LaFollette called up Senate Bill No. 16 for third reading.

The bill was read the third time by sections, and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bobilya, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gill, Gilbert, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ellison offered Senate Resolution No. 21 :

MR. PRESIDENT :

WHEREAS, It is a matter of record that a large number of sets of the Burns edition of Indiana statutes were purchased by the Senate of the last General Assembly, and it was ordered that upon adjournment such statutes were to be delivered to the State Librarian, to be kept for the use of this present Senate; therefore be it

*Resolved*, That the Doorkeeper proceed to the Library with a sufficient force to bring such statutes to this chamber, and distribute the same, so that all Senators can use the same. That if the Doorkeeper find any difficulty in so doing, he shall report the reason therefor.

ELLISON.

Senator Ellison moved the adoption of the resolution.

Senator Collett moved to amend the motion of Senator Ellison by inserting the words "laid on the table" for the word "adopted."

Motion carried.

Senator Shea moved to have all papers pertaining to "Pigeon Roost Massacre Memorial" put into the hands of the Committee on Military Affairs.

Motion carried.

Senate Bill No. 48 was called up by Senator Holler for second reading.

Senator Ellison raised the point of order that the bill had not laid on the desks for one day.

Which point was sustained.

Senator Hawkins moved that Senate Bill No. 48 be referred to its author for correction.

Motion carried.

Senator Holler reported Senate Bill No. 48 corrected.

Senator Ellison moved to make Senate Bill No. 48 a special order for 8:30 p. m. to-day.

Motion carried.

Senator Self moved to adjourn until 2 o'clock.

Motion carried.

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## MONDAY AFTERNOON.

JANUARY 18, 1897.

The Senate reconvened at 2 o'clock p. m., with President Haggard in the chair.

Senate Bill No. 5 was taken up as a special order.

Senator Watson withdrew his amendment.

Senator Hogate offered the following amendment:

"I move that Senate Bill No. 5 be amended as follows: Strike out the word 'ninety' in line 8, section 3, and insert in lieu thereof the word thirty.

HOGATE.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 182, entitled an act to legalize the official acts of minors acting as deputies to any public officer, etc.

And the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also, I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 214, entitled an act to legalize the incorporation of the town of Poneto, Ind.

And the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Senator Hogate moved to adopt the amendment to Senate Bill No. 5.

Motion carried.

Senator Early moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a second time by title and a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Campbell, Collett, Drummond, Early, Ellison, Gilbert, Gill, Goar, Goodwin, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

The bill was then read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Johnson of Madison, Johnston of Dearborn,

Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 44.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

A roll-call was ordered for the introduction of bills.

Senator Collett introduced Senate Bill No. 191, entitled :

A bill for an act providing for the re-adjustment of school districts and the location and removal of school houses, and declaring an emergency.

Read first time and referred to Committee on Education.

Senator Gilbert introduced Senate Bill No. 192, entitled :

A bill for an act concerning drainage, the repairs of ditches and drains, and repealing all laws in conflict therewith.

Read first time and referred to Committee on Swamps and Drains.

Senator Goar, by request, introduced Senate Bill No. 193, entitled :

A bill for an act for the relief of Thomas Levi, of Hamilton County, Ind., concerning a claim against the State for two horses taken from his pasture by State troops near Osgood, Ripley County, Ind., in the year 1863, and providing for the payment of \$300, and interest, for said horses, and for a warrant being drawn on the State Treasurer in favor of said Levi for the payment of the same.

Bill read first time and referred to the Committee on Claims and Expenditures.

Senator Hawkins introduced Senate Bill No. 194, entitled :

A bill for an act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of license to

practice, providing for the appointment of a State Board of Medical Registration and Examination and defining their duties, defining certain misdemeanors and providing penalties, and repealing all laws in conflict therewith and certain acts therein specified.

Read first time and referred to Committee on Public Health.

Senator Horner introduced Senate Bill No. 195, entitled :

A bill for an act to amend section 17 of an act regulating the weighing of coal, providing for the safety of employes, protecting persons and property injured, providing for the proper ventilation of mines, prohibiting boys and females from working in mines, conflicting acts repealed and providing penalties for violation. In force June 3, 1891, the same being section 5480 of the Revised Statutes of 1896.

Read first time and referred to Committee on Mines and Mining.

Senator Hugg introduced Senate Bill No. 196 by request, entitled :

A bill for an act to establish a State Board of Embalmers, to provide a system of examination, registration and licensing of embalmers, to provide for the better protection of life and health and to prevent the spread of infectious diseases in this State and to impose penalties for the violations of its provisions and declaring an emergency.

Read first time and referred to Committee on Public Health.

Senator Hugg introduced Senate Bill No. 197, entitled :

A bill for an act to repeal an act entitled "An act to amend section 389 of the act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881, approved March 11, 1895, and to revive said section 389 of said act concerning proceedings in civil cases, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator McCord introduced Senate Bill No. 198, entitled :

A bill for an act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same.

Read first time and referred to Committee on Labor and Labor Statistics.

Senator New introduced Senate Bill No. 199, entitled :

A bill for an act concerning warehouse receipts, and the issuing, sale and transfer thereof, and the sale of goods, wares and merchandise stored in public or private warehouses in other States.

Read the first time and referred to Committee on Judiciary.

Senator Newby introduced, by request, Senate Bill No. 200, entitled :

An act to amend section one (1) of an act entitled an act to amend section one (1) of an act entitled an act, supplemental to an act, to establish public libraries, approved February 16, 1852, defining the powers and duties of Township Trustees in relation to libraries established for the benefit and use of the inhabitants of the township by private donations, approved March 14, 1879, and which section is numbered section 3805 of the Revised Statutes of 1881, approved February 8, 1885, and declaring an emergency.

Read first time and referred to Public Library.

Senator Shiveley introduced Senate Bill No. 201, entitled :

A bill for an act regulating compensation and payment of expenses of the members of the several Boards of Control and Boards of Trustees having charge of the various benevolent, charitable, penal and reformatory institutions in this State, and repealing all laws in conflict herewith.

Read first time and referred to Committee on Benevolent Institutions.

Senator McCord introduced Senate Bill No. 202, entitled :

A bill for an act to amend section 2018 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.



House Concurrent Resolution No. 6 was read and concurred in by the Senate.

House Concurrent Resolution No. 7 was read and concurred in by the Senate.

Senator Newby made the point of order that Senate Resolution No. 7 could not be concurred in, but must go to a committee.

The Chair sustained the point.

The resolution was then read a second time and referred to the Committee on Finance, and it was ordered that Bozeman's report accompany it.

Senate Bill No. 36, was called up by Senator Bobilya, read a second time by title and ordered engrossed.

Senate Bill No. 35 was called up by Senator Bobilya for second reading.

Senator Newby moved to strike out the enacting clause of Senate Bill No. 35.

Motion lost.

Senator Newby offered the following motion :

I move to strike out all the words in lines 2, 3 and 4, of section one of Senate Bill No. 35.

NEWBY.

Senator Ball offered the following amendment to the motion of Senator Newby :

I move an amendment to the motion of Senator Newby by striking out the words in line 2 after the word "horse," and all the words in lines 3 and 4.

BALL.

Which amendment was lost.

The motion of Senator Newby was lost.

Senator Shiveley offered the following motion :

MR. PRESIDENT:

I move to strike out of Senate Bill No. 35 the second section thereof.

SHIVELEY.

Which motion was lost.

Senator Newby offered the following amendment:

I move to strike out all that part of section 1 commencing at "that" in line 1 of said section and ending at the word "horse" in line 2 thereof.

Newby amendment lost.

Senator Gilbert made the following motion:

MR. PRESIDENT:

I move to amend Senate Bill No. 35 by striking out all that part of section 1, beginning with "following" and including the word "or" in line 2 of said section.

GILBERT.

Senator Ellison moved to amend Gilbert's motion so that it would be referred back to the Committee on Agriculture.

Motion carried.

Roll was called for bills on the second reading.

Senator Gilbert called up Senate Bill No. 96, which was read a second time by title and ordered engrossed.

Senator Hogate called up Senate Bill No. 81, which was read a second time and ordered engrossed.

Senator Gilbert called up Senate Bill No. 101, which was read a second time by title and ordered engrossed.

Senator Holler called up Senate Bill No. 48 as a special order for 3:30 o'clock P. M.

Senator Hawkins moved that the constitutional rule requiring that bills be read on three several days be suspended, bill read second time by title, considered engrossed, read a third time by sections, and put upon its passage.

## WEDNESDAY MORNING.

JANUARY 20, 1897.

The Senate convened at 10 o'clock with Lieutenant-Governor Haggard in the chair.

Prayer was offered by Rev. Dr. D. A. Graham, of Indianapolis.

The Journal was ordered read.

On motion of Senator Goar the further reading of the Journal was dispensed with.

The roll was called for the reports of standing committees.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 73, the same being a bill for an act concerning the appointment of shorthand reporters, their duties and compensation, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 84, the same being a bill for an act to regulate and license the sale of cigarettes, introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Hogate raised the point of order that Wednesday was always special order day for bills on third reading.

Which point was sustained.

The roll was ordered called for bills on third reading.

Engrossed Senate Bill No. 36 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Gilbert, Gill, Goar, Gochenour, Goodwine, Hogate, Holler, Horner, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Sweeney and White. Total, 36.

Those voting in the negative were:

Senators Bethell, Early, Gostlin, Hawkins, Houghton, Hubbell, Hugg, McCord, New, Shiveley, Stroup and Wood. Total, 12.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Newby moved to reconsider Senate Bill No. 36.

Senator Ellison moved to lay Senator Newby's motion on the table.

Which motion prevailed.

Engrossed Senate Bill No. 8 was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson

of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 50.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Hogate offered the following amendment to the title:

I move to amend the title of Senate Bill No. 8 to read as follows:

An act to amend section 126, being section 2031, Revised Statutes of 1881, of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881, and declaring an emergency.

HOGATE:

Which amendment was adopted.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled Act No. 43, entitled:

An act to legalize the incorporation of the town of Lowell,  
Indiana.

B. H. PRATHER,  
Principal Clerk.

Indianapolis, Ind., January 20, 1897.

Senator Hogate called up Senate Bill No. 31 on third reading.

Read third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Hubbell,

Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Rogers, Schneck, Self, Shiveley, Stroup, Watson, White, Wood. Total, 42.

Those voting in the negative were :

Senators Shea, Sweeney. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Engrossed Senate Bill No. 11 was read a third time.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Alexander, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White and Wood. Total, 48.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Hubbell called up Senate Bill No. 13 on third reading.

Bill read third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Goar, Gochenour,

Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, La-Follette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Watson, White and Wood. Total, 41.

Those voting in the negative were :

Senators Gill, Johnston of Dearborn, O'Connor, Patten, Stroup and Sweeney. Total, 6.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The roll was called for bills on second reading.

Senator Gilbert called up Senate Bill No. 96 for second reading.

The bill was read a second time and ordered engrossed.

Senator Gochenour called up Senate Bill No. 99 for second reading.

Bill was read a second time.

Senator Hogate offered the following amendment :

I move to amend section 3, so that the same shall read as follows :

Section 3. All acknowledgments taken or jurats made to affidavits by a Justice of the Peace, and attested by his seal as mentioned in the first section of this act, shall be valid everywhere in the State.

HOGATE.

Which amendment was adopted and the bill as amended ordered engrossed.

Senator Holler called up Senate Bill No. 25 for second reading.

The bill was read a second time, and Senator Ellison offered the following amendment :

**MR. PRESIDENT :**

I move to amend Senate Bill No. 25 by striking out the enacting clause from section one.

**ELLISON.**

The Chair being in doubt as to the adoption of the amendment, a division was ordered, resulting as follows :

Affirmative, 27. Negative, 14.

The amendment was therefore adopted.

Senator Houghton called up Senate Bill No. 10 for second reading.

The bill was read a second time.

Senator Johnson offered the following amendment to the bill :

I move to amend Senate Bill No. 10 by striking out the word "farm" in line 4 of section 2 and insert the word "wooden" therefor.

**LAKE JOHNSON.**

Which amendment was adopted.

The following message was received from the Governor :

**JANUARY 20, 1897.**

**MR. PRESIDENT :**

I am directed by the Governor to inform the Senate that he has approved and signed Senate Bill No. 43, legalizing certain acts of the town of Lowell, Lake County, and that the same has been deposited with the Secretary of State.

Respectfully,

**CHAS. E. WILSON,**  
Private Secretary.

To the President of the Senate.

Read in the Senate at 11:45 o'clock A. M., Wednesday, January 20, 1897.

Senator Hubbell moved that when the Senate adjourn it do adjourn until to-morrow morning.

Which motion did not prevail.



Senators Humphrey and Johnston of Dearborn offered the following resolution :

MR. PRESIDENT :

I move you that the Committee on Elections be authorized to proceed, either as a body or by a sub-committee, to Laporte County, and hear such witnesses as may be brought before them in the matter of the contest of Culbert against Rogers, and report their proceedings in such matters, with their other proceedings.

HUMPHREYS,  
C. JOHNSTON.

Senator Newby moved to lay Senator Humphrey's resolution on the table.

Which motion prevailed.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bill No. 44, introduced by Senator Gostlin, and has compared the same with the engrossed bill, and find that said bill has been properly enrolled.

BALL,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 201, the same being a bill for an act regulating compensation and payment of expenses of the several Boards of Control and Boards of Trustees having charge of the various benevolent, charitable, penal and reformatory institutions of this State, and repealing all laws in conflict herewith, introduced by Senator Shiveley, has had the

same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 178, the same being a bill for an act concerning the care and control of orphan and dependent children, introduced by Senator Ellison, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, submitted the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 59, the same being a bill for an act, introduced by Senator LaFollette, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the bill be amended in the title by declaring an emergency; also by adding the following section :

Section 18. Whereas, an emergency exists for the taking effect of this act, that the same shall be in force from and after April 15, 1897.

And when so amended said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Hawkins moved that the Senate do now proceed to the House to canvass the vote for United States Senator.

Which motion prevailed.

The hour of 12 o'clock noon having arrived, the Senate proceeded to the hall of the House of Representatives.

Lieutenant-Governor W. S. Haggard, President of the Senate, called the Joint Convention to order.

A call of the Senate and the House was ordered, by which it was found that all the members of the Senate were present, and all the members of the House were present except Representative Plew, of Sullivan, Vigo and Vermillion counties, who was detained at his home on account of sickness.

Thereupon the President of the Joint Convention announced that a quorum of each House was present.

The Journals of the Senate and House of Representatives were read to the Joint Convention so far as the same had reference to the vote of the separate houses had on yesterday for United States Senator in Congress for the term of six years, commencing on the 4th day of March, 1897.

The Journal showed that Charles W. Fairbanks had received thirty-three (33) votes in the Senate and fifty-two (52) votes in the House of Representatives, a total of eighty-five (85) votes; and that Daniel W. Voorhees received sixteen (16) votes in the Senate and forty-two (42) votes in the House of Representatives, a total of fifty-eight (58) votes; and that Leroy Templeton had received one (1) vote in the Senate and five (5) votes in the House of Representatives, a total of six (6) votes.

That the whole number of votes cast was one hundred and forty-nine (149).

That Charles W. Fairbanks received eighty-five (85) votes. That Daniel W. Voorhees received fifty-eight (58) votes, and Leroy Templeton received six (6) votes.

The President of the Joint Convention thereupon declared that Chas. W. Fairbanks, having received a majority of all the votes cast by the two houses of the General Assembly of the State of Indiana, was duly elected Senator in the Congress of the United States for the term of six years, commencing on the 4th day of March, 1897.

Senator Hawkins moved to appoint a committee of three from the House and three from the Senate to notify Chas. W. Fairbanks of his election and to escort him to the joint session, which motion prevailed.

The committee appointed to thus act consisted of the following persons:

Senators Hawkins, Early and Holler and Representatives Harris, Jones and Berry.

The Hon. Charles W. Fairbanks was escorted into the hall by the committee and addressed the Joint Convention.

The business for which the joint convention had assembled having been transacted the joint convention adjourned.

The Senators returned to the Senate chamber.

Senator Gilbert moved to adjourn until to-morrow morning. Which motion prevailed.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## TUESDAY MORNING,

JANUARY 19, 1897.

The Senate convened at 10 o'clock, with Lieutenant-Governor Haggard in the chair.

Prayer was offered by Rev. Dr. Neighbor.

After a portion of the Journal of the preceding day had been read, on motion of Senator Collett the further reading of the same was dispensed with.

The roll was called for the reports of standing committees.

Senator Kerns, Chairman of the Committee on Agriculture, submitted the following report:

**MR. PRESIDENT :**

Your Committee on Agriculture, to which was referred Senate Bill No. 145, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

The Committee on Agriculture made the following report:

**MR. PRESIDENT :**

A majority of your Committee on Agriculture, to which was referred Senate Bill No. 2, introduced by Senator Bobilya, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

**MR. PRESIDENT :**

A minority of your Committee on Agriculture, to which was referred Senate Bill No. 2, introduced by Senator Bobilya, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

L. SCHNECK,  
GEORGE W. ROGERS,  
W. B. GILL.

Which report was rejected.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

**MR. PRESIDENT :**

Your Committee on Organization of Courts, to which was referred Senate Bill No. 55, introduced by Senator Johnson, has had the same under consideration and begs leave to report the same back to the Senate, with the recommendation that said bill be amended by striking out the word "Superior" in

line 3 of section 7 and inserting in lieu thereof the word "Circuit," and also by striking out the word "Superior" in lines 4 and 5 of said section and inserting the word "Circuit" in lieu thereof, and as so amended the same do pass.

CHARLES E. SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 37, the same being a bill for an act to prevent the spread of diseases among swine, introduced by Senator Bozeman, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be amended by striking out all of section three, also by striking out of section five the following words: "and any person who shall sell, or expose for sale any pretended remedy or preventive of hog cholera, without having the same analyzed by the State Chemist and publishing such analysis as is required by this act." That when said bill is so amended we recommend that the bill do pass.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of Committee on Federal Relations, Rights and Privileges of the Inhabitants of the State of Indiana, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations, Rights and Privileges of the Inhabitants of the State of Indiana, to which was referred Senate Bill No. 70, introduced by Mr. Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 98, the same being a bill for an act to prevent the adulteration of drugs and food, defining what adulteration is, and providing penalties for the same, introduced by Senator Gochenour, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

CHARLES S. GOAR,  
Chairman.

Report concurred in.

Senator Goar, Chairman Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 140, the same being a bill for an act regulating the practice of veterinary medicine and surgery for any branch thereof, and providing for an Examining Board, introduced by Mr. Phares, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHARLES S. GOAR,  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 107, the same being a bill for an act to provide against the adulteration of food and drugs, declaring certain acts connected therewith unlawful, and providing penalties therefor, introduced by Mr. Shiveley, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHARLES S. GOAR,  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 82, the same being a bill for an act to regulate and prescribe purity in the manufacture and sale of drugs, introduced by Mr. Nusbaum, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. S. GOAR,  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 100, the same being a bill for an act to protect the people of Indiana by requiring all persons selling at retail or compounding for sale at retail any poison or compound containing a poison, providing exceptions, to be duly licensed; providing for registration and re-registration, and time for each; providing for necessary examination of applicants for license, and time for holding same; fixing amount of fees and time of payment; providing for the establishment of a Board of Pharmacy, and for its maintenance, regulation and duties; providing necessary penalties for the violation of this act, and declaring an emergency," introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHARLES S. GOAR,  
Chairman.

Which was concurred in.

Senator Holler, Chairman of the Committee on Prisons, made the following report:



MR. PRESIDENT:

Your Committee on Prisons, to which was referred Senate Bill No. 117, the same being a bill for an act to establish a State Reformatory, introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHRISTIAN HOLLER,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Prisons, made the following report:

MR. PRESIDENT:

Your Committee on Prisons, to whom was referred Senate Bill No. 119, introduced by Senator Holler, Duncan and Ellison, would report the following substitute therefor, viz.:

A bill for an act to prevent the keeping or confinement of any person as a prisoner in either of the penitentiaries or prisons of this State, those sentenced thereto by the courts of the United States:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be unlawful after the taking effect of this act, for any warden of any prison or penitentiary in the State to receive any person sentenced thereto by any United States Court: *Provided, however*, That all prisoners now in either of the prisons of the State, sentenced thereto by any United States Court, by reason of any contract made by the Board of Directors or those in control of such prisons, may remain therein until the expiration or cancellation of such contract or the termination of their respective sentences, and the warden of such prison may receive such prisoners till the obligations of such contract have been fulfilled.

*Provided, further*, That if any such contracts exist, and any right is contained therein which authorizes the abrogation or cancellation thereof, the Board of Directors or those in control

of said prisons, having the right thereto, shall abrogate and cancel the same at the first opportunity.

And when so amended the same do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 97, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 162, introduced by Senator Watson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

The Committee on Judiciary begs leave to report the following as a substitute for Senate Bill No. 67: A bill to provide for the investigation of the cause of burned buildings, or parts thereof, and providing for the punishment of persons that caused the same.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana,* That it shall be the duty of every chief fire engineer of every fire department in each and every city in this State, and the marshal of each and every incorporated town in this State, to investigate the cause of every fire occurring within the jurisdiction of the municipality under which such officers serve, within forty-eight hours after the occurrence of such fire.

**SEC. 2.** Whenever such officers, after a full investigation, have reason to believe that such fire was caused by incendiarism, or by the carelessness or criminal neglect of any persons, he shall forthwith report such fact to the prosecuting attorney of the county in which such fire occurred, or to some deputy prosecuting attorney residing in the municipality where such fire occurred, stating in such report, in detail, all the facts that he has been able to ascertain with regard to the cause of the fire, and by whose fault, criminal neglect, carelessness or wrongdoing, if any, the same was caused. If such report shows that a crime has been committed, it shall be the duty of such prosecuting attorney, or deputy, to immediately prepare an affidavit and information, which affidavit shall be signed and sworn to by such engineer or marshal, and the same shall be filed by such prosecuting attorney, or deputy, before some Justice of the Peace of the county, or some court of jurisdiction thereof, and a warrant shall issue for the arrest of such person who is charged with having committed such crime, and such matter shall be immediately heard by such justice or court, and if such justice shall find that there is reasonable ground for believing that a crime has been committed by such person, such person shall be bound over to the Circuit Court of such county, and such matter shall be investigated at the next sitting of the grand jury of the county in which such fire occurred, unless before that time such person shall have been tried for such offense by some court having jurisdiction thereof.

**SEC. 3.** Any officer charged with any duty under this act, who shall neglect or refuse to comply with any of the requirements of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not less than five dollars and not more than one hundred dollars.

SEC. 4. The word "fire," wherever it occurs in this act, shall be considered to mean such a fire as shall have resulted in the destruction of property of a value of not less than twenty dollars.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 78, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 54, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 80, introduced by Senator Mull, has had the same under consideration, and begs leave to report the same back to

the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 129, introduced by Senator Houghton, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator White offered Senate Resolution No. 22:

*Resolved*, That James Williams be placed on the force as assistant janitor and sweeper.

WHITE.

Which resolution was laid on the table.

Senator Ball, Chairman of the Committee for the Inspection of the Journal, offered the following report:

MR. PRESIDENT:

Your Committee on the Inspection of the Journal has examined the Journal from the 7th of January to the 16th, inclusive, and begs leave to report the same correct.

WALTER S. BALL,  
Chairman.

Which report was concurred in.

Senator Wood asked to have report of Committee on Agriculture on Senate Bill No. 145 reconsidered.

Senator Early moved to reconsider report of Committee on Agriculture on Senate Bill No. 145.

Motion carried.

Senator Wood moved to recommit Senate Bill No. 145 back to Committee on Agriculture.

Which motion prevailed.

At 10:30 the President of the Senate announced the special order for this hour, being the nomination and election of a United States Senator to succeed the Hon. Daniel W. Voorhees, whose term expires March 4, 1897.

Nominations being in order Senator Hawkins placed in nomination for that office Hon. Charles W. Fairbanks.

Senator Hogate seconded the nomination of Hon. Charles W. Fairbanks.

Senator Hugg also seconded the nomination of Hon. Charles W. Fairbanks.

Senator Shiveley further seconded the nomination of Hon. Charles W. Fairbanks.

Senator Humphries placed in nomination the Hon. Daniel W. Voorhees.

Senator Sweeney seconded the nomination of Hon. Daniel W. Voorhees.

Senator Stroup also seconded the nomination of Hon. Daniel W. Voorhees.

Senator Shea also seconded the nomination of Hon. Daniel W. Voorhees.

Senator Rinear further seconded the nomination of Hon. Daniel W. Voorhees.

Senator Drummond also further seconded the nomination of Hon. Daniel W. Voorhees.

Senator Gill placed in nomination Leroy Templeton.

The roll was ordered called for the vote on United States Senator.

Those voting for Hon. Charles W. Fairbanks were:

Senators Ball, Bethell, Bozeman, Collett, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison,

Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 33.

Those voting for the Hon. Daniel W. Voorhees were:

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Rogers, Shea, Stroup, Sweeney. Total, 16.

Those voting for Hon. Leroy Templeton were:

Senator Gill. Total, 1.

The regular order of business was then resumed.

On motion of Senator Sweeney the Senate adjourned.

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## TUESDAY AFTERNOON,

JANUARY 19, 1897.

The Senate reconvened at 2:20 p. m., Lieutenant-Governor Haggard in the chair.

Senate Bill No. 62, having been made a special order for 2:30 p. m., was taken up in its order with its amendment.

The bill was read a second time by title.

The question being upon the adoption of the amendment.

The President being in doubt, the division of the Senate being called for. There being 34 votes in favor of the adoption and 13 votes against it.

The amendment was adopted.

Senator Ellison moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill as amended be considered engrossed, read a third time by sections and placed upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were :

Senators Bethell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Rogers, Schneck, Self, Shiveley, Watson, White, Wood. Total, 34.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Gill, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Shea, Stroup, Sweeney. Total, 13.

So the constitutional rule was suspended.

The bill was read a third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Bethell, Bozeman, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rogers, Schneck, Self, Shea, Shiveley, Watson, White, Wood. Total, 38.

Those voting in the negative were :

Senators Bobilya, Campbell, Gill, Humphreys, Johnston of Dearborn, O'Connor, Patten, Rinear, Stroup, Sweeney. Total, 10.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Horner introduced the following Joint Senate Resolution No. 35 :

*Be it enacted by the General Assembly of the State of Indiana,*  
That the following proposed amendment to the Constitution of



said State be and the same here now is agreed to and referred to the General Assembly of said State to be chosen at the next general election :

Amend section one (1) of article IV (4) of said Constitution to read as follows :

*One.* The style of every law shall be: "Be it enacted by the General Assembly of the State of Indiana," except such laws as may be passed by vote of the electors, as herein provided, and such laws shall begin as follows: "Be it enacted by the people of the State of Indiana," and no law shall be enacted except by bill or by petition and vote of qualified electors.

*Two.* The legislative power upon all measures for the government of the whole State shall be exercised by the Senate and House of Representatives, and, in addition thereto, shall be vested in the electors of the State qualified to vote for members of the Senate and the House of Representatives.

The legislative power upon all measures for the government of any municipal division of the State, such as city and town, shall be exercised by the legislative body thereof and by the Senate and House of Representatives, and, in addition thereto, shall be vested in the qualified electors thereof.

*Three.* The right to reject any measure passed by the Senate and House of Representatives, affecting the whole State, shall be vested in the electors of the State qualified to vote for members of the Senate and the House of Representatives; the right to reject any measure affecting less than the whole State, passed by the Senate and the House of Representatives, shall be vested in the qualified electors of each municipal division, in so far as the measure shall affect such division; and the right to reject any measure passed by the legislative body of any municipal division of the State, such as city and town, shall be vested in the qualified electors thereof.

*Four.* The Senate and House of Representatives at its first session after the adoption of this amendment shall, and when necessary from time to time thereafter may, pass laws to carry the amendment into effect. Such laws may provide that measures for the immediate preservation of the public peace, health

and safety shall take effect immediately, but must provide that no other measure shall go into effect until the expiration of a period fixed by the Legislature for filing petitions for a vote of the electors on any bill passed; and if such petition shall be filed, then not until a vote is had thereon. Should the law or laws to carry the provisions of this amendment into effect be passed as hereinbefore required, or, if passed, be objected to by qualified electors, they, in number not less than five per centum of the votes cast at the last election for members of the General Assembly, may, within ninety days after the adjournment of any Legislature, sign and file with the Secretary of State, a petition or petitions, to enact a law or laws for such purpose, and the Secretary of State shall submit the law as passed by the Senate and House of Representatives, if any, and such laws proposed by the petitioners, to the vote of the qualified electors, at the next regular State election, for a choice thereof, and the law or laws in favor of which the largest number of votes shall then be cast shall be declared adopted.

*Five.* Any measure enacted by a vote of the qualified electors shall not be repealed or altered without a vote of the electors on the proposed repeal or alteration.

*Six.* Nothing in the Constitution shall be taken or construed to limit the foregoing power of the legislation vested in the qualified electors, nor to require the presentation to or approval by the Governor or any other officer, of any law enacted by a vote of the electors, and all provisions therein in conflict herewith are hereby rescinded and annulled.

*Resolved,* That in submitting this amendment to the electors of the State to be voted on it shall be designated as amendment No. 1.

HORNER.

Read and referred to the Committee on "Revision of the Constitution."

The roll was then called for the introduction of bills.

Senator Campbell introduced Senate Bill No. 203, by request, entitled:

A bill for an act to authorize county officers to execute papers to procure pensions, bounties, back pay and prize money for soldiers and seamen, their widows and orphans, free of charge, repealing all conflicting laws, and providing for and declaring an emergency to exist.

Read first time and referred to Committee on Fees and Salaries.

Senator Early introduced Senate Bill No. 204, entitled:

A bill for an act providing for changing the time for electing certain township officers, defining the time when they shall qualify and assume the duties of their respective offices, providing for separate ballots and ballot boxes, and repealing all laws and parts of laws in conflict therewith.

Read first time and referred to the Committee on County and Township Business.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 44, entitled an act to legalize the incorporation of the town of Whiting, Ind., and the same is herewith returned for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also, I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 8, with reference to the Vandalia Railroad, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also, I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 10, with reference to letter carriers in cities having more than 75,000 population, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also, I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 11, and the same is herewith transmitted for the action of the Senate.

B. H. PFATHER,  
Clerk.

Engrossed House Concurrent Resolution No. 8:

WHEREAS, There is a prevalent opinion among the citizens of the State of Indiana that there is a large sum of money due the Common School Fund of the State of Indiana from the Terre Haute & Richmond Railroad, which was incorporated under the act approved January 20, 1847, and which is now embraced and incorporated in what is known as the Vandalia Railway system; and

WHEREAS, Various charges have been made from time to time through the public press and otherwise relating to the conduct of certain officials of the Vandalia system; and

WHEREAS, The public press and the people are incessantly demanding an investigation to ascertain what amount of money, if any, there is now due the Common School Fund of the State of Indiana from said Vandalia Railway system; therefore

*Be it resolved by the House, the Senate concurring therein, That a committee of three on the part of the House and three on the part of the Senate be appointed, and that the Attorney-General of the State of Indiana be, and is hereby, directed to act in conjunction with said committee, and to act as ex officio chairman, to investigate and ascertain what sum of money, if any, is due the Common School Fund, or any other fund of the State of Indiana, or what sum of money, if any, is due this State from the Terre Haute & Richmond Railroad Company, incorporated under an act of January 20, 1847, and which said railroad is now a part of and incorporated in the Vandalia Railway system. Said committee shall have power to employ an expert accountant, who shall act with them at their direction and under oath; and said committee shall have further power to examine any and all books, papers, letters and accounts necessary to the carrying out of the provisions of this resolution, and belonging to said Vandalia system, and all books, letters, papers and accounts which now belong or which*

may have belonged to said Terre Haute & Richmond Railroad Company necessary to carrying out the purpose and intent of this resolution; and said committee shall have further power to summon before it any official or any employe of said Vandalia system and examine him, or each of them, under oath, upon any and all subjects necessary to the carrying out of the object of this resolution. Said committee shall keep an itemized account of all sums of money necessarily expended in carrying out the provisions of this resolution, and said committee shall report to the General Assembly within ten days from and after the passage of this resolution.

HENDERSON.

Which was concurred in.

#### Engrossed House Concurrent Resolution No. 10 :

WHEREAS, The free delivery service of the post-office department is self-sustaining; and,

WHEREAS, There is now pending before the House of Representatives of the Congress of the United States a bill introduced by the Hon. D. Sperry, of Connecticut, entitled "A salary bill, adopted by the sixth annual meeting of the National Association of Letter Carriers, a bill to increase the pay of letter carriers, known as H. R. 260, providing that the pay of letter carriers in cities of more than seventy-five thousand population for the first year of service shall be six hundred dollars, for the second year of service shall be eight hundred dollars, for the third year of service shall be one thousand dollars, and for the fourth year of service and thereafter shall be one thousand two hundred dollars; and the pay of letter carriers in cities of less than seventy-five thousand population shall for the first year of service be six hundred dollars, for the second year of service shall be eight hundred dollars, and for the third year of service and thereafter shall be one thousand dollars;" and,

WHEREAS, The Senate of the Congress of the United States on the 10th day of June, 1896, by a unanimous vote passed a similarly worded bill, introduced by Senator Mitchell, of Oregon, and known as S. 3058, said bill being now on the Speaker's table in the House; therefore, be it

*Resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring, That the Representatives of the State of Indiana in the National Congress be requested to favor and assist in securing an early day for its consideration, and to use every honorable effort to secure the passage of the aforesaid S. 3058; be it further*

*Resolved, That a copy of this resolution be forwarded by the Clerk of the House and the Secretary of the Senate to each of the Congressmen from the State of Indiana, and to the Speaker of the House of Representatives in the National Congress.*

HARRY C. HUBBARD,  
Rep. Marion Co.

Engrossed House Concurrent Resolution No. 11:

*Be it resolved by the House of Representatives, the Senate concurring, That the Senate and House of Representatives of the General Assembly of Indiana, meet in joint session in the House of Representatives at twelve o'clock, noon, Wednesday, January 20th, 1897, for the purpose of canvassing and announcing the result of the vote in the separate houses for Senator for the State of Indiana in the United States Congress.*

Senator Ellison introduced Senate Bill No. 205, entitled:

A bill for an act concerning building and loan and savings associations, and defining the territory within which they may do business.

Read first time and referred to Committee on Building and Loans.

Senator Ellison introduced Senate Bill No. 206, entitled:

A bill for an act to amend section 1 of an act entitled an act to amend sections 78 and 79 of an act entitled an act concerning the incorporation and government of cities having more than thirty-five thousand (35,000) and less than forty-nine thousand (49,000), according to the last preceding United States census, and matters connected therewith, and declaring an emergency, the same being section — of the compilation of the statutes

known as Burns' Statutes of 1894, and approved March 3, 1893, approved March 11, 1895.

Read first time and referred to Committee on Cities and Towns.

Senator Goodwine introduced Senate Bill No. 207, entitled:

A bill for an act concerning deeds executed upon illegal or invalid tax sales, providing for the release of the lien thereof, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hawkins introduced Senate Bill No. 208, entitled:

A bill for an act fixing the terms and times of holding court in the Nineteenth Judicial Circuit of the State of Indiana, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator Hogate introduced Senate Bill No. 209, entitled:

A bill for an act to amend section eleven of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor, and prescribing certain penalties therefor, providing the time when the same shall take effect as to certain officers therein named, and repealing all conflicting laws, approved March 11, 1895, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Holler introduced Senate Bill No. 210, by request, entitled:

A bill for an act to amend sections five (5), six (6), seven (7), eight (8) and nine (9) of an act entitled, "An act to establish a female prison and reformatory institution for girls and women, to provide for the organization and government thereof, and making an appropriation," approved May 13, 1869, said sections being sections 6166, 6167, 6168, 6169 and 6170 of the revised statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Prisons.

Senator Holler introduced Senate Bill No. 211, entitled :

A bill for an act to repeal section No. 2 of an act entitled an act to amend section fifty-seven (57) of an act entitled an act concerning elections and the contest thereof, approved April 21, 1881, and five (5) of the act amendatory of the acts of 1859, "concerning the election and qualification of Township Trustees," and section one (1) of an act entitled an act to provide for township elections, and repealing laws inconsistent therewith, approved March 3, 1877, and section one (1) providing for election, number and term of constables, in force in May, 1853; also, section one (1) of an act entitled "An act to amend sections 1, 6, 19, 20 and 34 of an act entitled an act concerning highways and supervisors thereof, approved March 2, 1883, approved April 13, 1885, the first four of the same being sections 4785, 5974, 5991 and 5992 of the Revised Statutes of 1881, approved March 11, 1889."

Read first time and referred to Committee on Judiciary.

Senator Hubbell, introduced Senate Bill No. 212, entitled :

A bill for an act creating and defining the Thirty-third (33d), Thirty-fourth (34th) and ——— Judicial Circuits of the State of Indiana, fixing the length of terms and times of holding court in said circuits, providing for the appointment of a Judge in said circuits and for the appointment of a Prosecuting Attorney in said Thirty-third Circuit and other matters connected therewith, and providing for a Prosecuting Attorney for the ——— Judicial Circuit, and providing for the return of process in said circuits and the disposition of business now



pending in said circuits, and repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator Hubbell introduced Senate Bill No. 213, entitled :

An act for the better security of policy holders in life insurance companies, providing for the deposit of premiums with the Auditor of State and prescribing the manner and conditions of the investment of funds of such companies as may take advantage of this act, providing the minimum amount of capital stock required of such companies, providing a penalty for the violation of its provisions and declaring the funds created for carrying risks and for investment purposes to be trust funds for the benefit of persons holding policy contracts with such companies, requiring certain stipulations as to nature and use of premiums to be plainly set out in all policy contracts issued by such companies and declaring an emergency.

Read first time and referred to Committee on Insurance.

Senator Hugg introduced Senate Bill No. 214, entitled :

A bill for an act to amend section fifty-six (56), one hundred and twenty-six (126) and one hundred and twenty-nine (129) of an act of the General Assembly of the State of Indiana, entitled an act concerning the incorporation and government of cities having more than one hundred thousand population, according to the last preceding census of the United States and matters connected therewith and declaring an emergency.

Read the first time and referred to the Committee on City of Indianapolis.

Senator Humphreys introduced Senate Bill No. 215, entitled :

A bill for an act regulating the purchase of school supplies by Township Trustees.

Read first time and referred to the Committee on County and Township Business.

Senator LaFollette introduced Senate Bill No. 216, entitled :

A bill for an act to amend sections two hundred and fifty-three (253) and two hundred and fifty-four (254) of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, being sections twelve hundred thirty (1230) and twelve hundred thirty-one (1231) of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Newby introduced Senate Bill No. 217, by request, entitled :

A bill for an act to authorize Boards of County Commissioners to make appropriations of money for the purpose of providing and to provide suitable places and buildings for the meetings, uses and maintenance of county historical societies, and for the safe keeping and preservation of articles, papers, documents and all other matters connected with and illustrative of local history, and for the control and management thereof.

Read first time and referred to Committee on Education.

Senator Patten introduced Senate Bill No. 218, entitled :

A bill for an act to amend section forty (40) of an act entitled an act concerning offenses and their punishment, approved April 14, 1881, being section 1941 of Revised Statutes of 1881, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Patten, by request, introduced Senate Bill No. 219, entitled :

A bill for an act concerning taxes as assessed for road purposes upon lands used for agricultural purposes within corporate limits of towns, repealing all laws or parts of laws in conflict therewith.

Read first time and referred to the Committee on Cities and Towns.

Senator Phares introduced Senate Bill No. 220, entitled :

A bill for an act to amend section three of an act entitled an act to amend sections one, two, three and six of an act concerning liens of mechanics, laborers and material men, approved March 6, 1883, and to amend section nine of said act, approved March 6, 1883, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Self introduced Senate Bill No. 221, entitled :

A bill for an act fixing the times for holding court in the Third Judicial Circuit of the State of Indiana, prescribing the lengths of the terms thereof and repealing all laws in conflict therewith.

Read first time and referred to the Committee on Organization of Courts.

Senator Shiveley introduced Senate Bill No. 222, entitled :

A bill for an act declaring the use of ferrets for the purpose of hunting and catching rabbits unlawful, prescribing penalties therefor.

Read the first time and referred to the Committee on Agriculture.

Senator Watson introduced Senate Bill No. 223, entitled :

A bill for an act to amend section six (6) of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the time when the same shall take effect as to certain offices therein named, and repealing all conflicting laws, approved March 11, 1895, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator White introduced Senate Bill No. 224, entitled :

A bill for an act defining the Second and Third Judicial Circuits, fixing the times of holding court therein, regulating the business thereof, repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senator Wood introduced Senate Bill No. 225, entitled :

A bill for an act to amend section one of an act entitled, "An act concerning the making of private connections with sewer, gas and water pipes in cities having less than one hundred thousand inhabitants, and declaring an emergency," approved March 4, 1893, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Gilbert moved to reconsider the vote on the adoption of the report of the Committee on Senate Bill No. 69.

Which motion prevailed.

Senator Gilbert then moved that Senate Bill No. 69 be re-committed to the Committee on County and Township Business.

Motion carried.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 22, the same being a bill for an act regulating building, loan and saving associations, introduced by Senator Newby, has had the same under consideration, and we report the same back to the Senate without recommendation, that the same may be submitted to the Committee on Building and Loan Associations, as instructed by the Senate.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

House Concurrent Resolution No. 10 was read.

Motion by Senator Hawkins to adopt the same was carried.

House Concurrent Resolution No. 11 was read.

Motion to adopt the same was carried.

Bills on second reading were called for.

Senator LaFollette requested that permission be given him to report on rules. To which the Senate gave consent.

Senator LaFollette, Chairman of the Special Committee on Rules, made the following report:

MR. PRESIDENT:

Your Special Committee on Rules, to which was referred the question of reconstructing Rules No. 40 and No. 59, recommend that Rule No. 40 be changed to read as follows:

A committee to which a bill shall be referred may report thereon with or without amendment, or may report a substitute therefor. If no minority report is made the question shall be upon concurring in the report of the committee, without any motion therefor.

If a minority report is made, the question shall be upon concurring in the minority report, which if not concurred in, the question shall then recur upon the majority report.

If the action of the Senate shall be in favor of the passage of the bill, it shall then be printed in accordance with the provisions of Rule No. 59.

LAFOLLETTE.

Which report was concurred in.

Senator Hubbell called up Senate Bill No. 52 for third reading.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Bozeman, Early, Gilbert, Gochenour, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg,

Johnson of Madison, Kerns, LaFollette, Leich, McCord, New, Nusbaum, Stroup and Wood. Total; 21.

Those voting in the negative were :

Senators Ball, Bethell, Bobilya, Campbell, Collett, Drummond, Ellison, Gill, Goar, Goodwine, Humphreys, Johnston of Dearborn, Mull, Newby, O'Brien, Patton, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Watson and White. Total, 25.

So the bill failed to pass.

On motion of Senator Ellison the Senate adjourned.

	W. S. HAGGARD,
JAMES W. EGNEW,	President of the Senate.
Assistant Secretary of the Senate.	

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## THURSDAY MORNING.

JANUARY 21, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor W. S. Haggard in the chair.

Prayer was offered by the Rev. Dr. Jargerot, of the Roberts Park Methodist Church.

The Journal of yesterday was ordered read.

After the reading of a portion of the Journal by the Assistant Secretary, the further reading of the Journal was dispensed with on motion of Senator Drummond.

The roll was then ordered called for the reports of standing committees.

By request of Senator Duncan, who could not be present at the roll-call, Senator McCord handed in Senator Duncan's report of the Committee on Education, as follows:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 51, the same being a bill for an act, introduced by Senator Houghton, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education to, which was referred Senate Bill No. 40, the same being a bill for an act, introduced by Senator Ellison, has had the same under consideration, and begs leave to report the same back to the Senate with the statement that said bill should be referred to the Committee on Cities and Towns.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 176, the same being a bill for an act, introduced by Senator Duncan, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 18, introduced by Senator O'Brien,

has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Federal Relations, Rights and Privileges of the Inhabitants of the State of Indiana, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations, Rights and Privileges of the Inhabitants of the State of Indiana, to which was referred Senate Bill No. 137, the same being a bill for an act to permit the State of Indiana to be sued for the enforcement of street assessments in certain cases and to declare an emergency, introduced by Senator O'Brien, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

The Committee on Federal Relations and Rights and Privileges of Inhabitants of the State of Indiana submitted the following reports:

MR. PRESIDENT:

A majority of your Committee on Federal Relations and Rights and Privileges of Inhabitants of the State of Indiana, to which was referred Senate Concurrent Resolution No. 3, the same being a Senate concurrent resolution relative to the election of United States Senators by a direct vote of the people, introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said concurrent resolution be indefinitely postponed.

JAMES O'BRIEN,  
Chairman.



**MR. PRESIDENT :**

The undersigned, a minority of your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State of Indiana, to which was referred Senate Concurrent Resolution No. 3, the same being a concurrent resolution relative to the election of United States Senators by a direct vote of the people, introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said concurrent resolution do pass.

**FRANK A. HORNER,  
SHEA,  
BALL.**

The question being, Shall the minority report be adopted?

Senator Humphreys demanded the ayes and noes, and the roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Drummond, Ellison, Gill, Gochenour, Holler, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, O'Connor, Patten, Rinear, Rogers, Stroup and Wood. Total, 21.

Those voting in the negative were :

Senators Collett, Gilbert, Gostlin, Hawkins, Hogate, Hugg, LaFollette, Mull, New, Newby, O'Brien, Phares, Self, Shiveley and Watson. Total, 15.

So the minority report of the committee was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

**MR. PRESIDENT :**

Your Committee on County and Township Business, to which was referred Senate Bill No. 19, begs leave to report the subjoined bill as a substitute for said original bill, and recommend that said substitute do pass.

**GILBERT,  
Chairman.**

Substitute for Senate Bill No. 19, entitled :

A bill for an act declaring what are partition fences and providing for the building, repairing and maintenance of such, and conferring jurisdiction upon Township Trustees in the matter of partition fences in cases therein specified, and providing for liens for making, maintaining and repairing partition fences and providing remedies for the enforcement of such liens, for collection of fees due Township Trustees rendered under this act, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That all fences now constructed and used by adjoining land owners as a partition fence or fences, unless otherwise specially agreed upon by such land owners, shall be deemed partition fences and shall be built, maintained, repaired and paid for as hereinafter provided.

SEC. 2. That all partition fences should be built and kept in repair at the cost of the several land owners whose lands are enclosed and separated by such fences, equally according to the number of rods and protection thereof such land owner may have along such line of fence, whether his, her or their title be in fee simple or a life estate. That if any land owner as above defined shall fail or refuse to compensate for building or repairing his, her or their proportion of fence, any land owner interested in such fence may give notice in writing to such defaulting party, his agent, or tenant, to compensate for building or repairing their proportion of such fence, and if after twenty (20) days' notice to such party, agent or tenant such fence is not compensated for, built or repaired such interested land owner may notify the Township Trustee of such township in which such fence is situated to estimate or compensate for such fence, or the cost of building such fence, or the cost of repairing the same, as the case may be; and within a reasonable time after being so called upon so to do such Trustee shall make out a written itemized statement of due proportion of such defaulting land owner of compensation, the cost of building a new fence or of making repairs, as the case may be, and deliver a copy thereof to such defaulting land owner, his agent or tenant, provided that such Trustee in estimating the compensation, cost of building a new fence or repair of any fence, shall adopt

the plans and material of such fence as is most commonly used by the farmers of such township:

*Provided*, That on land subject to overflow posts and wire only shall be used for fencing across such land subject to overflow:

*Provided further*, That if such Trustee of such township is disqualified from acting in the premises by reason of relationship to any of the parties interested or is an interested party himself or otherwise disqualified to act, then it shall be lawful for the Trustee of any other township who resides nearest to where such fence is situated to act in the premises:

*Also provided further*, That a lawful fence shall be a straight board and wire fence, or a straight wire or a straight board fence, or a picket or a hedge fence four (4) feet in height, a straight rail fence four and one-half ( $4\frac{1}{2}$ ) feet high, a worm rail fence five (5) feet high, and all fences of every structure to be sufficiently tight and sufficiently strong to hold hogs, sheep, cattle, mules and horses.

SEC. 3. After the expiration of twenty (20) days of the receipt of the statement herein provided for in section 2 of this act, to be made out by the Township Trustee aforesaid, if the defaulting land owner shall not have made compensation, built his share of the fence, or made the proper repairs, as pointed out in the statement made by the Trustee aforesaid, then said Township Trustee shall give notice of the letting of such work by written or printed notices, posted in not less than three of the most public places in the township where the fence is located, and shall, at the expiration of said notice, let said work to the lowest responsible bidder therefor, and take a bond from such successful bidder for the faithful performance of such contract, with sufficient solvent surety to such bond. Upon the completion of said work under said contract, the Township Trustee shall give such contractor a certificate properly authenticated, showing the amount of work done, material used and kind of material used, and the contract price for such work and material, and the whole amount due such contractor; also the amount due the Trustee for his services, with a description of the land of the defaulting land owner, and if the sum due is not paid upon demand made upon the defaulting land owner, his agent or tenant, the said certificate may be placed on record

in the Recorder's office in the county in which such fence was constructed or repaired, and it is hereby made the duty of the Recorder of said county to record the same in the mechanic's lien record of such county, and to properly index the same, and for so doing he shall receive a fee of twenty-five cents therefor. And said amount named in said certificate, with the fees due the Township Trustee, shall be a lien upon the real estate described in said certificate from the time of the commencement of the work for which it was given. And if the same is not paid by the said land owner such lien may be foreclosed at any time within twelve (12) months from the date of recording the same by such contractor under the same rules and regulations that mechanic's liens are foreclosed, and a sale of the real estate made under the same rules and regulations: *Provided*, That the fees due the Township Trustee for his services shall be separately stated in such payment and remain his property, and if such contractor does not have recorded and foreclosed such lien the Trustee shall have a right to do so, and all payments of fees due the Trustee for services rendered under this act must be made to them or their legal representatives.

SEC. 4. There shall be no personal liability upon the Trustee for any contract made under this act, but the contractor shall rely upon his lien exclusively for his compensation, and the said Trustee shall be allowed the same per diem for services rendered under this act as he is allowed for other services as Trustee of the civil township.

SEC. 5. Persons owning land not enclosed shall not be required to make or maintain a partition fence.

SEC. 6. That this act shall be liberally construed in favor of the objects and purposes for which it is enacted.

SEC. 7. It is hereby declared that an emergency exists for the immediate taking effect of this act. It shall, therefore, take effect and be in force from and after its passage.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, to which was referred Senate Bill No. 138, has had the same under consideration, and begs leave to report

the same back to the Senate with the recommendation that said bill be indefinitely postponed.

NEWTON W. GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, to which was referred Senate Bill No. 85, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

NEWTON W. GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 159, the same being a bill for an act to amend section 31 of "An act entitled an act for the relief of the poor," approved June 9, 1852, being section 6095 of the Revised Statutes of 1881, introduced by Senator Self, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEWTON W. GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 149, the same being a bill for an act in relation to County Commissioners and County Auditors, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended

by striking out section 3, and numbering section 4 section 3, and section 5 section 4, and that when so amended the bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred Senate Bill No. 125, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGG,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Prisons, submitted the following report:

MR. PRESIDENT:

Your Committee on Prisons, to which was referred Senate Bill No. 120, the same being a bill for an act concerning the practice in criminal causes, introduced by Senators Holler, Duncan and Ellison, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Prisons, submitted the following report:

MR. PRESIDENT:

Your Committee on Prisons, to which was referred Senate Bill No. 118, the same being a bill for an act appointing probation officers, introduced by Senators Holler, Duncan and Ellison, has had the same under consideration, and begs leave to

report the same back to the Senate with the recommendation that the same do pass.

CHRISTIAN HOLLER,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Prisons, made the following report:

MR. PRESIDENT:

Your Committee on Prisons, to which was referred Senate Bill No. 71, the same being a bill for an act to provide for the government, control, management, etc., of State Prison, introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHRISTIAN HOLLER,  
Chairman.

Senator Holler, Chairman of the Committee on Prisons, made the following report:

MR. PRESIDENT:

Your Committee on Prisons, to which was referred Senate Bill No. 147, the same being a bill for an act for the discharge of prisoners from the State prisons, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Railroads, made the following report:

MR. PRESIDENT:

Your Committee on Railroads, to which was referred Senate Bill No. 12, introduced by Senator Houghton, has had the same

under consideration, and begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Railroads, made the following report:

MR. PRESIDENT:

Your Committee on Railroads, to which was referred Senate Bill No. 124, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Railroads, made the following report:

MR. PRESIDENT:

Your Committee on Railroads, to which was referred Senate Bill No. 116, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of Committee on Cities and Towns, made the following report:

MR PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 146, the same being a bill for an act providing for electric light plants in incorporated cities to be governed by a Board of Trustees, introduced by Senator Collett, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that section 1 of said bill be amended to read as follows:



Section 1. It shall be lawful for the Common Council of any city in this State which owns and operates its own electric light plant, or which may hereafter construct and operate its own electric light plant, to establish a board of three trustees, to be known as the Trustees of the Electric Light Works of said city. Said Trustees shall be elected at the regular city elections and shall hold their office for the term of six years, except that at the first election, to be held on the first Tuesday in May, 1898, one of the said Trustees shall be elected for two years, one for four years and one for six years, and thereafter one of the said Trustees shall be elected every two years.

And that when so amended that the bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 171, the same being a bill for an act to legalize the incorporation of the town of Keystone, introduced by Mr. Eichhorn, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 219, the same being a bill for an act concerning taxes as assessed for road purposes on lands within the corporate limits of towns, introduced by Senator Patten, has had the same under consideration, and begs leave to report the same

back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

Houghton,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 144, the same being a bill for an act providing for laying out and opening streets in cities and towns, introduced by Senator Sweeney, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

Houghton,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 157, the same being a bill for an act providing the building of flood gates in ditches, etc., introduced by Senator Leich, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. Holler,  
Chairman.

Which report was concurred in.

Petition for an appropriation by the State of Indiana to aid in the improvement of the Kankakee River:

*To the Honorable Senators and Members of the House of Representatives of Indiana:*

GENTLEMEN—The undersigned are interested in the improvement of the Kankakee River, to the end that the large

body of swamp lands adjacent to it may be drained and protected from overflow. We respectfully petition for the enactment of a law making an appropriation of money to aid in paying the expenses of such improvement. In support of this petition, we state that under an existing law of the State, provisions have been made for the issuance and sale of county bonds to pay for the work of protecting from overflow and efficiently draining swamp lands, and for the reimbursement of the counties by the assessment and collection of benefits from the owners of lands affected. This law is in consonance with the established policy of the State relating to other public improvements, being in the main similar to the law providing for the expense of construction and improving gravel roads, and streets in towns and cities, and allows the payment of assessments to be made in annual installments extending over a period of fifteen years. Under its provisions, to companies of associations of land owners near the Kankakee River have been formed for the purpose of straightening, deepening, dredging and otherwise improving it from its source, near South Bend, to the Illinois State line, a distance of over 200 miles, as it meanders through and along the borders of the counties of St. Joseph, Starke, Laporte, Porter, Jasper, Newton and Lake. It is claimed by these associations, that in some of the counties mentioned, a majority of the resident land owners whose lands are affected, have already signed the necessary petitions requiring such assessments to be made, and that a sufficient number in the other counties have also indicated their willingness to do likewise. That while your petitioners are generally desirous of having the proposed improvement made, and deem it a work of great public benefit and a necessary thing to be done to furnish drainage outlets, and to protect, reclaim and make fit for cultivation large bodies of land in that part of the State, yet they show that to make the system of drainage effectual and beneficial to all the individual land owners, this river improvement must be followed by the construction of ditches by the same land owners who will have to bear the expense of the river improvement; that in addition to these burdens it is probable that an income of taxation for State purposes will follow, because of assessed increased valuation upon such lands. They further show that if such improvement shall be made that the benefits to the State at large will

be very great, resulting from the increase of its revenues and population, the improvement of sanitary conditions, and its general improvement, prosperity and development. That it is a well-known historical fact, clearly verified by the public records of the State, that the amount of money received by the State from the proceeds of swamp lands in the seven counties mentioned was nearly two million dollars, and but a small part of this enormous sum was actually expended in the drainage of lands therein; that while the main part of these funds and the swamp-land funds of other counties were many years ago paid out of the treasury and were diverted and misappropriated, it is at the same time true, as we are informed by parties who have made investigations of the State records, that there is now actually in the treasury of the State, properly belonging to the swamp-land fund, but in part improperly transferred, merged and diverted in pursuance of legislative enactments into other funds, over \$100,000, upon which the State has received over \$50,000 as interest.

That under the act of Congress granting these swamp lands to the State there was imposed upon it the duty and trust of applying their proceeds exclusively to the purpose of draining and reclaiming them; and although the funds heretofore paid out or misused can not be restored for these purposes, still the obligations of the State which have heretofore been impaired by the unconstitutional legislative enactments that diverted them, can, in part, be repaired, and the trust with which the State was charged can in part be executed by an act appropriating all the funds now in fact belonging to the swamp land fund, and out of its general funds such an additional sum as will in some measure correspond with the increased revenues and benefits which the State will receive by the proposed improvement, to be properly apportioned to said several counties, and to become available in assisting to pay for said work as it progresses, or upon its completion. That as the land-owners along the river have shown and are showing their willingness to meet and pay the assessments of benefits that may be made, your petitioners respectfully ask that such a sum be appropriated as the State in justice and fairness ought to pay for the long-delayed and much-needed improvement, leaving it entirely to the wisdom and intelligence of the General Assembly to so

frame its enactment as will insure the proper application of the appropriations it shall make to the purposes mentioned, and at the same time relieve the land-owners of some of the burdens of this expensive and extensive work of great public necessity and utility.

Your petitioners further call attention to the fact that the network of railroads of Chicago passing over these Kankakee marshes carry hundreds of thousands of people every year, who receive the most unfavorable impressions about the enterprise and healthfulness of the State, and they are dissuaded from investing their capital or becoming citizens; and, besides, they judge unfavorably of other parts of the State from the conditions that are impressed upon them. But it is not merely to favorably impress strangers as to the greatness and enterprise of the State that this work should be done, but because the people of northern Indiana are as much entitled to good health as those in other parts of the State, who have been aided by large appropriations in the past to construct sewers and make other improvements of a local character.

J. R. PATTERSON,

And Twenty-nine Other Citizens of Laporte County.

Referred to Committee on Swamp Lands and Drains.

Senator Mull introduced Senate Bill No. 237, by request, entitled:

A bill for an act concerning the constructing, equipping and operating electric light and power plants by the Common Councils of cities and the Boards of Trustees of towns, providing the mode and manner by which the cost of such plants shall be paid and enforced, and permitting cities and towns to issue electric light and power improvement bonds, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator New introduced Senate Bill No. 238, entitled:

A bill for an act to repeal section twenty-two of an act entitled "An act for the incorporation of insurance companies, defining their powers and prescribing their duties," approved

June 17, 1852, the same being section 3729 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to the Committee on Insurance.

Senator New introduced Senate Bill No. 239, entitled :

A bill for an act for the incorporation of insurance companies, defining their powers and prescribing their duties, and the duties of the Auditor of State, the Attorney-General of State, and the County Clerks in connection therewith, providing penalties for the violation of this act, repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to the Committee on Insurance.

Senator New introduced Senate Bill No. 240, entitled :

A bill for an act concerning a standard form of fire insurance policy and prescribing penalties.

Read first time and referred to the Committee on Insurance.

Senator New introduced Senate Bill No. 241, entitled :

A bill for an act regulating foreign insurance companies doing business in this State, prescribing the duties of the companies and the agents thereof, and the Auditor of State and County Clerks in connection therewith, providing penalties for the violation of the provisions of this act, and repealing all laws in conflict herewith.

Read first time and referred to the Committee on Insurance.

Senator New introduced Senate Bill No. 242, entitled :

A bill for an act to repeal an act entitled "An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties in the State, and to repeal all laws in conflict therewith, approved March 6, 1885."

Read first time and referred to Committee on Legislative Apportionment.

Senator New introduced Senate Bill No. 243, entitled :

A bill for an act to protect the owners of bottles, boxes, siphons, tins or kegs used in the sale of soda water, mineral or

aerated waters, porter, ale, milk, cream, beer or other beverages, and providing penalties for violations of the same.

Read first time and referred to Committee on Judiciary.

Senator Newby introduced Senate Bill No. 214, by request, entitled:

A bill for an act making it the duty of the boards of directory of cemetery associations organized in the State of Indiana to make out a statement of all moneys, rights, property and assets, owned and held by such associations, together with the amount of its liabilities; also showing gross receipts for preceding year, with the amount paid out for repairs and improvements, and all other expenses, and providing a penalty for a failure to comply herewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Phares, introduced Senate Bill No. 215, entitled:

A bill for an act to amend section 119 of an act entitled "An act fixing the compensation and prescribing the duties of certain State and County officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the time when the same shall take effect as to certain officers therein named, and repealing all conflicting laws. Approved March 11, 1895.

Read first time and referred to Committee on Judiciary.

Senator Shiveley introduced Senate Bill No. 216, entitled:

A bill for an act to amend section 113 of an act entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency" (being section —, of Burns' Revised Statutes of 1894), approved March 6, 1891.

Read first time and referred to Committee on Finance.

Senator White, by request, introduced Senate Bill No. 247, entitled :

A bill for an act to provide for the preservation of the public health ; for the prevention and suppression of epidemic, contagious and infectious diseases in man and the domestic animals ; for the disinfection or destruction of animals, personal property, houses or other structures when contaminated with or by malignant, contagious or infectious diseases when incapable of disinfection ; to provide for the abatement of diseases producing or spreading nuisances ; to prevent and abate the pollution of rivers, water courses, lakes and springs ; to create a State board of health commissioners, define their powers and duties ; providing for the jurisdiction of courts in certain cases, and defining the duties of the Attorney-General, prosecuting and city attorneys in relation thereto ; for the equipment and maintenance of a State laboratory of hygiene ; providing for the appointment of certain officers by the State board of health commissioners and a board of examiners by the Governor ; providing for the appointment of county, city, town and township boards of health and health officers, defining their powers and duties ; providing for the proper health control of the public food and drug supply, for the collection of vital and sanitary statistics, prescribing fines and penalties for the violation of this act, fixing an appropriation for the expense of the State board of health commissioners, and the establishing and maintaining the State laboratory of hygiene ; repealing acts in conflict therewith and declaring an emergency.

Read first time and referred to Committee on Public Health.

Senator Bobilya introduced Senate Bill No. 248, entitled :

A bill for an act to amend section 133 of an act entitled an act concerning the incorporation and government of cities having more than thirty-five thousand and less than forty-nine thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.



Senator Ball moved to have copies of Senate Bill No. 115 printed.

Which motion was carried.

Senator McCord introduced by request Senate Bill No. 249, entitled :

A bill for an act prohibiting the manufacture and sale of cigarettes and cigarette wrappers, and fixing penalties for the violation of the same.

Read first time and referred to Committee on Public Health.

The roll was then called for bills on second reading.

Senate Bill No. 92 was called up, read a second time by title and ordered engrossed.

Senator Gilbert called up Senate Bill No. 97, which was read a second time by title and ordered engrossed.

Senator Hogate called up Senate Bill No. 101, which was read a second time by title and ordered engrossed.

Senator Hugg called up Senate Bill No. 78, which was read a second time by title and ordered engrossed.

Senator Johnson of Madison called up Senate Bill No. 55, which was read a second time by title and ordered engrossed.

Senator McCord called up Senate Bill No. 79 for second reading, and offered the following amendment to said bill :

MR. PRESIDENT :

I move to amend section 1, of Senate Bill No. 79, by inserting after the word "that," in line 1, the following :

"Section twenty-two (22) of an act of the General Assembly of the State of Indiana, entitled an act to provide for the incorporation of insurance companies, defining their powers and prescribing their duties, approved June 17, 1852."

Which amendment was read and ordered engrossed.

Senator Mull called up Senate Bill No. 111, which was read a second time and ordered engrossed.

Senator O'Brien called up Senate Bill No. 93, which was read a second time and ordered engrossed.

Senator Watson called up Senate Bill No. 162, which was read a second time and ordered engrossed.

House Concurrent Resolution No. 3 as follows was read :

WHEREAS, The General Assembly of the State of Indiana by an act approved March 11, 1895, established a commission consisting of ten (10) soldiers who were engaged in one or more of the battles of Chickamauga, Lookout Mountain or Chattanooga, to mark by monuments and markers the positions of the respective military organizations from the State of Indiana which were engaged in these said battles, pursuant to the act of Congress of August 19, 1890, creating the park; and,

WHEREAS, The duty of establishing the lines and marking the prominent positions of the respective organizations which devolved upon the State Commission in conjunction with the National Park Commission, subject to approval by the Secretary of War, has been performed and the lines established, and the positions marked and recorded; and,

WHEREAS, A controversy has arisen between the National Park Commission and the Indiana Park Commission as to the right to choose that position on the line established for the Ninth Indiana Infantry Regiment, which shall be marked with a monument. In which controversy the Indiana Park Commission claim and insist that after the points are established the right to choose the position of the monument is with it, the said Indiana Commission, and if it becomes a question as to when the organization did its best fighting, it is the tribunal to decide that question, the National Park Commission claiming that because of an unwritten rule which they had the monument must be put at the point of the best fighting, and the National Park Commission must decide that question; and,

WHEREAS, Because of this controversy the Indiana Chickamauga Park Commission has been compelled to suspend work upon the monument for the Ninth Indiana, and has refused to erect it at the point designated by the National Park Commission, or at any other point than that which it has chosen, and,

**WHEREAS,** The point chosen for the monument for the Ninth Indiana is a point where the battle closed on the night of the 20th of September, 1863, where the last volleys were fired, the last persons captured, and the last struggle made, a position of prominence and historical importance, the holding of which Indiana is entitled to have recorded in her honor; therefore, be it

*Resolved by the House of Representatives of the State of Indiana, the Senate concurring,* That the action of the Indiana Chickamauga Park Commission in stopping their work pending the controversy relating to their right to locate the monument of the Ninth Indiana on Snodgrass Hill, is approved and commended, that the right for which they contend involves the honor of the State and must not be surrendered until adversely decided by some disinterested competent tribunal.

PETER WALRATH AND OTHERS.

In which resolution the Senate concurred.

The roll was called for the introduction of bills.

Senator Ellison introduced Senate Bill No. 229, entitled:

A bill for an act to abolish days of grace and to determine when notes, bills, drafts, contracts, claims and accounts and other evidences of indebtedness shall become due.

Read first time and referred to Committee on Judiciary.

Senator Hawkins introduced Senate Bill No. 230, entitled:

A bill for an act for the appointment and retiring of trustees of funds and estates in certain cases, fixing rights, duties and jurisdiction of the same, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hawkins introduced Senate Bill No. 231, entitled:

A bill for an act to define and punish frauds upon hotels, inns, boarding, eating and lodging houses and restaurants, providing a penalty for any person or persons violating the provisions thereof, specifying the means of proof of the intent to

defraud, creating a lien upon the property of persons attempting to defraud, providing punishments therefor, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hawkins introduced Senate Bill No. 232, entitled :

An act to amend an act entitled an act to incorporate the Western Mutual Life Insurance and Trust Company, approved February 15, 1839, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hugg introduced Senate Bill No. 233, entitled :

A bill for an act amending section 5 of an act concerning powers and duties of cities and incorporated towns and their Common Councils and Boards of Trustees, and providing the mode and manner of making street and alley improvements and building sewers, and providing for the mode and manner of enforcing the payment of the costs of street and alley improvements and building sewers, and permitting cities or incorporated towns to issue street and sewer improvement bonds, and repealing all conflicting laws, and declaring an emergency, approved March 8, 1889.

Read first time and referred to Committee on Cities and Towns.

Senator Hugg introduced Senate Bill No. 234, entitled :

An act defining and regulating the practice of optometry, creating a board of examiners in optometry, prescribing their duties, fixing penalties for the violation of the act and declaring an emergency.

Read first time and referred to Committee and Public Health.

Senator Mull introduced Senate Bill No. 235, entitled :

A bill for an act relating to sales of real estate by assignees and trustees under the law of voluntary assignment, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Mull introduced Senate Bill No. 236, entitled :

A bill for an act defining the Eighth Judicial Circuit, fixing the time of holding courts in said circuit, and providing for the appointment of a Judge for the Fifty eighth Judicial Circuit, and also providing for the appointment of a Prosecuting Attorney for the Fifty-eighth Judicial Circuit, regulating other matters in connection with said judicial circuits, repealing all laws inconsistent with this act, declaring an emergency and requiring the Secretary of State to transmit copies of the act.

Read the first time and referred to the Committee on Organization of Courts.

On motion of Senator Shiveley, the Senate adjourned.

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## THURSDAY AFTERNOON.

JANUARY 21, 1897.

The Senate convened at 2 o'clock, with Lieutenant-Governor Haggard in the chair.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 214, the same being a bill for an act legalizing the incorporation of the town of Poneto, introduced by Mr. Eichhorn, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 181, the same being a bill for an act providing for the appointment of Special Justices of the Peace, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 218, the same being a bill for an act concerning offenses, introduced by Senator Patten, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 142, the same being a bill for an act concerning changes of venue in civil cases, introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary submitted the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 113, the same being a bill for an act prohibiting the playing of baseball on Sunday, except in cities of more than 100,000 inhabitants, or within four miles thereof, introduced by Senator New, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY, Chairman.  
CHAS. E. SHIVELEY,  
J. J. M. LAFOLLETTE,  
W. H. WATSON.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 113, the same being a bill for an act prohibiting the playing of baseball on Sunday, except in cities of more than 100,000 inhabitants, or within four miles thereof, introduced by Senator New, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. R. WOOD,  
CHAS. F. DRUMMOND,  
ELLISON.

The minority report was concurred in.

Senator Bobilya moved to reconsider the vote on Senate Bill No. 115.

Senator Ellison moved to lay Senator Bobilya's motion on the table.

The Chair being in doubt, a division was called for.

Motion was lost.

Senator Ellison moved that Senator Bobilya's motion be made a special order for Tuesday at 10:30.

The Chair being in doubt, a division was called for.

Motion carried.

Senator McCord, Chairman of the Committee on Mines and Manufactures, made the following report:

MR. PRESIDENT:

Your Committee on Mines and Manufactures, to which was referred Senate Bill No. 136, the same being a bill for an act relating to actions for recovery of damages, introduced by Senator Nusbaum, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be referred to the Judiciary Committee.

McCord,  
Chairman.

Which report was concurred in.

Senator Shiveley offered the following Concurrent Resolution No. 7:

WHEREAS, The Supreme Lodge, Knights of Pythias, it being the supreme legislative body of a great fraternal, benevolent, patriotic society, composed of a membership of 500,000 in the United States, at its biennial convention, held in the city of Cleveland, Ohio, in August, 1896, did, upon the invitation of the city of Indianapolis and of the citizens of Indiana, decide to hold its next biennial convention in the city of Indianapolis, beginning the last week in August, 1898, and to continue for a period of about two weeks; and,

WHEREAS, There is a very large number of the citizens of the State of Indiana, aggregating about 40,000, who are members of said Order of Knights of Pythias and interested in its success and prosperity; and,

WHEREAS, Said Order of Knights of Pythias is of American origin, and in addition to its benevolent, charitable professions and practices, greatly aiding and benefiting mankind, it also teaches and inculcates the highest principles of patriotism and love of country; and,

WHEREAS, Every State and territory of the United States and the British province on this continent will be represented in said Supreme Lodge at its convention in Indianapolis in 1898; and,



**WHEREAS**, Thousands of members of the Military Branch of the Order of Knights of Pythias will assemble in the City of Indianapolis for the biennial encampment of that branch of the Order during the convention of said Supreme Lodge; and

**WHEREAS**, The members of the Order of Knights of Pythias in the State of Indiana wish to do honor to their visiting brethren, and in honoring them, to honor the State of Indiana, and defend and further establish the reputation and good name of the State for courtesy and hospitality; therefore be it

*Resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring.* That the hall of the House of Representatives and such rooms in the State House as may be suitable for committee rooms, and not occupied at the time, be tendered to, and the use thereof is hereby granted to the Supreme Lodge Knights of Pythias for the purpose of holding the legislative sessions of that body during its convention in the City of Indianapolis, Indiana, in 1898; and be it further

*Resolved*, That any unoccupied tract or tracts of land belonging to the State of Indiana, in or adjacent to the City of Indianapolis, and not at the time in use by the State of Indiana, are hereby tendered to, and the use thereof is hereby granted to the Military Branch of the Knights of Pythias for its biennial encampment to be held at the City of Indianapolis in August and September, 1898, not exceeding a period of three weeks.

Read and adopted.

Senator Watson offered the following resolution No. 8:

**WHEREAS**, The attention of the General Assembly of the State of Indiana has been called to the fact that there now exist in the State of Indiana unequal and varied ways of transacting the business of the several counties of the State of Indiana by the Boards of Commissioners of said counties; and

**WHEREAS**, It is deemed proper and right that the business of the several counties of the State of Indiana should be transacted in a uniform and like manner; and

**WHEREAS**, A conference of the Commissioners of the several counties would bring about a uniform, economical and like mode of transacting the business of the several counties of this State; and

**WHEREAS**, Said uniform, economical and like transacting of the affairs of said counties can only be had by said congress; therefore be it

*Resolved*, That the County Commissioners of the State of Indiana do meet at Indianapolis on the second Tuesday of February, 1897, and each year thereafter on said date, if they so deem it wise and proper at said meeting to discuss the interests of their several counties, the mode of transacting their affairs, and to adopt plans for the betterment of the transaction of the affairs of their several counties.

**WATSON.**

The question being, Shall the report be adopted?

The Chair being in doubt, a division was called for.

The resolution was lost.

Senator Gostlin introduced Senate Bill No. 226, entitled:

A bill for an act to amend section one (1) of an act entitled an act to amend section one (1) of an act entitled an act to amend an act entitled an act to provide for the general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873, approved March 12, 1875, and declaring an emergency, same being section 4439 of the Revised Statutes of 1881.

Read first time and referred to Committee on Education.

Senator Watson introduced Senate Bill No. 227, entitled:

A bill for an act fixing the time of holding court in the Fourth Judicial Circuit of the State of Indiana, prescribing the

length of terms thereof, and repealing all laws in conflict therewith, and declaring an emergency.

Read first time.

Senator Watson moved that the constitutional rule requiring that bills be read on three several days be suspended and that the bill be read the second time by title, the third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Campbell, Collett, Drummond, Ellison, Gilbert, Gill, Gochenour, Gostlin, Hawkins, Hogate, Holler, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shiveley, Stroup, Watson, White, Wood. Total, 38.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Drummond, Ellison, Gilbert, Gill, Gochenour, Gostlin, Hawkins, Hogate, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shiveley, Stroup, Watson, White, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gill introduced Senate Bill No. 228, entitled :

A bill for an act fixing the time for holding court in the Twenty-second Judicial Circuit of the State of Indiana, regulating certain matters connected therewith, and repealing conflicting laws and declaring an emergency.

Read the first time.

Senator Gill moved that the constitutional rule requiring that bills be read on three several days be suspended and that the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Drummond, Ellison, Gill, Gilbert, Gochenour, Gostlin, Hawkins, Hogate, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Conner, Patten, Phares, Rinear, Rogers, Schneek, Self, Shiveley, Stroup, Watson, White and Wood. Total, 88.

None voting in the negative.

So the constitutional rule was suspended, and the bill was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Drummond, Ellison, Gilbert, Gill, Goar, Gostlin, Hawkins, Hogate, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Conner, Patten, Phares, Rinear, Rogers, Schneek, Self, Shiveley, Stroup, Watson, White and Wood. Total, 87.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the Governor:

JANUARY 21, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Bill No. 44, an act legalizing certain acts of the Trustees of the town of Whiting, Lake County, Indiana, etc., and that the same has been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

To the Honorable President of the Senate.

Read in the Senate at 2:45 o'clock, January 21, 1897.

Senator Gochenour introduced the following petition:

*To the General Assembly of the State of Indiana:*

The Trustees and Assessors of Wabash County would respectfully submit the following:

At the general election held in November, 1894, all townships in the State elected Township Trustees and Assessors for a term of four years. The law of 1889 plainly stated that the term of such township officers should commence on the first Monday of August, 1895, and relying on that law almost all, if not all, of the township officers-elect did not assume the duties of their respective offices until that date. The Supreme Court of the State, in a recent decision in the case of *Wilson vs. Wells*, appealed from Grant County, decided that our terms of office commenced immediately after the election held in 1894. The effect of that decision is that nine months have been clipped off our terms of office. In other words, our terms will expire immediately after November election of 1898, or as soon thereafter as our successors qualify.

As to Trustees, we would suggest that the best time to make the annual settlement is not in August, but in November. Every four years the old trustees must make a final settlement, and why should not all settlements be made at that time so as to be uniform? No better season or period of the year could be selected; all road business will be completed, all schools in full blast, and the annual settlement would be opportune then. Say the second Monday after the November election; all other settlements would be abolished and every department of school, road and township business settled on that date. Then, can uniformity be secured, and the broken and semi-annual settlement be abolished. As to assessors and the assessing of reality of taxation every four years it was plainly the intent of the law to have such appraisement made during the last year of the term, thereby giving them the benefit of four years' experience in appraising all property in their various townships. Should we be compelled to step out, as we must by the court's decision, then all property in the State will be appraised by practically new men without any experience whatever. That would not be fair to us nor just to the taxpayers, and would make the duty of the new assessor, no matter how honest and conscientious he may be, more burdensome and unsatisfactory. We do not want to appear selfish in this matter, but we would respectfully request that you use your best efforts in having the time of holding the township election changed and set forward to the November election of 1900, and then let our terms expire immediately after such election, or as soon as our successors qualify.

Respectfully submitted by the Trustees and Assessors of Wabash County.

*Assessors.*

URIAH SHOCK, Chester,  
V. W. FITES, Pleasant,  
J. C. THOMPSON, JR., Liberty,  
DANIEL RUSSELL, Lagro,  
ROBT. MORTON, Waltz,  
L. L. COAT, Noble.

*Trustees.*

M. J. BARTON, Noble,  
J. D. SPURGEON, Chester,  
H. H. SHIPLEY, Pleasant,  
A. M. OSWALD, Paw Paw,  
J. B. MARTIN, Liberty,  
R. H. CRUNKLETON, Lagro,  
WALLACE STOUT, Waltz.

Referred to Committee on County and Township Business.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House adopted Senate Concurrent Resolution No. 2, and the same is herewith returned for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 8, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Act No. 44.

B. H. PRATHER,  
Clerk of the House.

INDIANAPOLIS, January 21, 1897.

The Committee on Judiciary offered the following report :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 26, the same being a bill for an act concerning taxation, introduced by Senator Holler, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

W. H. WATSON,  
J. J. M. LAFOLLETTE.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 26, the same being an act concerning

taxation, introduced by Senator Holler, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

ELLISON,  
W. R. WOOD,  
CHAS. E. SHIVELEY,  
CHAS. P. DRUMMOND.

The question being, Shall the minority report be adopted?

Senator Humphreys demanded the yeas and nays.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Campbell, Drummond, Ellison, Gilbert, Gill, Gochenour, Holler, Humphreys, Kerns, Leich, O'Connor, Patten, Rinear, Rogers, Self, Shiveley, Stroup, White, Wood. Total, 22.

Those voting in the negative were :

Senators Alexander, Collett, Gostlin, Hawkins, Hogate, Hugg, Johnson of Madison, Johnston of Dearborn, LaFollette, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Watson. Total, 16.

So the minority report was adopted.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 8, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

House Concurrent Resolution No. 8 was called up and Senator McCord offered the following substitute therefor :

MR. PRESIDENT :

I offer the following substitute for House Concurrent Resolution No. 8 :

*Resolved by the House, the Senate concurring, That a committee of three on the part of the House and three on the part of the Senate, shall be appointed to enquire and report to the*



General Assembly, with all reasonable dispatch, whether, in its opinion, the State of Indiana has any just claim against the Vandalia Railway system for and on account of the charter issued to the Terre Haute & Richmond Railway, and any facts connected with and growing out of the acceptance and use of said charter and the operation of said railway company.

*Second.* What steps, if any, are necessary or proper to be taken by this General Assembly to enforce such claim in the event they shall find that such claim or right exists? And in the event such committee shall ascertain and report that such claim or right exists, then said committee shall report to the two houses a bill for an act to enable such rights to be enforced by and in favor of said State of Indiana.

McCord.

Which substitute was adopted.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 135, the same being a bill for an act regulating the practice of horseshoeing, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY, Chairman.  
W. R. WOOD,  
CHAS. E. SHIVELEY,  
CHAS. P. DRUMMOND.

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 135, the same being a bill for an act regulating the practice of horseshoeing, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

W. H. WATSON,  
J. J. M. LAFOLLETTE,  
ELLISON.

The minority report was concurred in.

The Committee on Judiciary offered the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 29, the same being a bill for an act defining trusts, etc., introduced by Senator Shiveley, has had the same under consideration, and begs leave to report back to the Senate with the recommendation that sections 10, 11 and 12 of said bill be stricken out, and when said bill is so amended that the same do pass.

L. P. NEWBY,  
Chairman.  
WOOD.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 29, the same being a bill for an act defining trusts, etc., introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHAS. E. SHIVELEY,  
ELLISON.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 29, the same being a bill for an act defining trusts, etc., introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration be indefinitely postponed.

J. D. EARLY,  
W. H. WATSON.

Charles P. Drummond, a member of the Committee on Judiciary, made the following minority report :

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 29, the same being a bill for an act defining trusts, introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same

back to the Senate with the recommendation that sections 10 and 11 of said bill be stricken out, and that said bill, when so amended, do pass.

CHAS. P. DRUMMOND.

On motion of Senator LaFollette action upon said reports was dispensed with until Senate Bill No. 29, with reports thereon, could be printed.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 115, the same being a bill for an act concerning changes of venue in civil cases, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.  
CHARLES E. SHIVELEY,  
W. R. WOOD.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 115, the same being a bill for an act concerning changes of venue in civil cases, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

W. H. WATSON,  
J. J. M. LAFOLLETTE,  
CHAS. P. DRUMMOND,  
ELLISON.

The question being, "Shall the minority report of the committee be concurred in?"

The Chair being in doubt, a division was called for.

And the minority report was concurred in.

On motion of Senator Hawkins, the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## FRIDAY MORNING.

JANUARY 22, 1897.

The Senate was called to order at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

Prayer was offered by Rev. Dr. Duncan, of the Methodist Episcopal Church of Indianapolis.

The Journal of the preceding day was ordered read.

After reading a portion of the Journal, on motion of Senator Hubbell, the further reading of the same was dispensed with.

The Lieutenant-Governor asked to be heard on a question of personal privilege, and in which address he denied certain allegations made in a daily paper of this morning, and explained to the Senate all the facts connected with those allegations.

Senator Collett asked that all members of the Committee on Benevolent Institutions be excused till Monday morning except Senator Shiveley.

Which request was granted.

Senator Collett also asked that Senators Sweeney and Bobilya be excused until Monday morning.

Which request was granted.

Senator Ellison moved that when the Senate adjourns it do adjourn until Monday morning.

Which motion prevailed.

The roll was called for the reports of standing committees.

Senator Mull, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred House Concurrent Resolution No. 7, the same providing for the appointment of two members of the House and two members of the Senate, to be selected from the Committee on Benevolent Institutions, with power to employ a competent engineer, to investigate the best method of supplying drainage for the Southern Hospital for the Insane, introduced by Mr. Harris, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that so much of said resolution as authorizes the employment of a competent engineer be stricken out, and that after being so amended the same do pass. Your committee finds upon investigation that in 1893 a competent engineer was employed and a survey made. A copy of the report of the engineer is returned herewith. The report of the engineer may also be found in the report of the Trustees for the Southern Hospital for the Insane for 1895.

MULL,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 182, the same being a bill for an act legalizing the official acts of persons under age acting as deputies to public officers, introduced by Mr. Morris, of Floyd County, has had the

same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 188, the same being a bill for an act to encourage agriculture and horticulture and agricultural and horticultural fairs by the purchase of real estate for such purposes, introduced by Senator Stroup, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

KERNS,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 222, the same being a bill for an act declaring the use of ferrets for the purpose of hunting and catching rabbits, unlawful, prescribing penalties therefor, introduced by Senator Shiveley, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

**MR. PRESIDENT :**

Your Committee on Agriculture, to which was referred Senate Bill No. 85, the same being a bill for an act making it unlawful to dock and clip horses, declaring the same to be a misdemeanor and providing penalties for the violation thereof, introduced by Senator Bobilya, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

**WILLIAM F. KERNS,**  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report :

**MR. PRESIDENT :**

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 192, the same being a bill for drainage, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be printed.

**HOLLER,**  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

**MR. PRESIDENT :**

Your Committee on Public Health, to which was referred Senate Bill No. 194, the same being a bill for an act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of license to practice, providing for the appointment of a State Board of Medical Registration and Examination and defining their duties, defining certain misdemeanors and providing penalties, and repealing all laws in conflict therewith, and certain acts therein specified, introduced by Mr. Hawkins, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

**CHARLES S. GOAR,**  
Chairman.

Which report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 208, introduced by Senator Hawkins, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHARLES E. SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 221, the same being a bill for an act fixing the time of holding Court in the Third Judicial Circuit, introduced by Senator Self, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHARLES E. SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Self moved that the constitutional rule requiring that bills be read on three several days be suspended, that Senate Bill No. 221 be read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum,



O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Watson and Wood. Total, 45.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Watson and Wood. Total, 47.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hawkins moved that the constitutional rule requiring bills to be read on three several days, be suspended, that Senate Bill No. 208 be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of

Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shiveley, Stroup, Watson and Wood. Total, 46.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Watson and Wood. Total, 43.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

On motion the bill was referred to a committee of one to amend the title, which was done by inserting the words, "Providing for the return of process, repealing all laws in conflict."

As amended the title was ordered to stand.

Senate Bill No. 65 was called up by Senator Nusbaum on second reading.

Senator LaFollette offered the following amendment to Senate Bill No. 65:

MR. PRESIDENT:

I move to amend section four (4) of Senate Bill No. 65 so that said section will read as follows: "That the Board of Commissioners, nor any member thereof, shall be allowed to make any allowance of any claim or order, the issuing of any

county order or warrant, except when convened either in regular or special session, and no Auditor of any county shall be allowed to issue to any person or persons any county order or warrant except the claim on which the same is founded has been first allowed by the Board of Commissioners at some regular or special session.

LA FOLLETTE.

Senator Ellison offered the following amendment to Senate Bill No. 65:

MR. PRESIDENT:

I move to amend section 1, line 5, by adding these words: "That in all counties having a population in excess of 65,000 such auditing shall be had at the regular session held on the first Monday of March, June, September and December of each year.

ELLISON.

Senator Drummond offered the following amendment to Senate Bill No. 65:

MR. PRESIDENT:

I move that Senate Bill No. 65 be amended as follows: That the words "as required in other courts" be stricken out of line 5, section 5, of said bill.

CHAS. P. DRUMMOND.

On motion of Senator Ball, Senate Bill No. 65, with amendments thereto, was made a special order for Monday, at 11 o'clock.

The roll was called for the introduction of bills.

Senator Horner, by request, introduced Senate Bill No. 250, entitled:

A bill for an act entitled an act to amend an act entitled "An act to amend the seventy-first section of an act entitled an act providing for the election of Justices of the Peace and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, approved March 5, 1859, being section 1547 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Leich introduced Senate Bill No. 251, entitled :

A bill for an act to appropriate money to defray the expenses of the Commission appointed by the Supreme Court of the United States in establishing a boundary line between the State of Indiana and the Commonwealth of Kentucky opposite Green River Island.

Read first time and referred to the Committee on Finance.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 306, entitled an act making it the duty of County Officers to execute papers for the purpose of procuring pensions, bounties, back-pay, etc., and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Per Lohman, File Clerk.

Senator Campbell moved that the constitutional rule requiring bills to be read on three several days be suspended, that Engrossed House Bill No. 306 be read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bozeman, Campbell, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, New, Newby, O'Brien, O'Connor, Patten. Rinear, Rogers, Schneck, Self, Shiveley, Stroup, Watson.  
Total, 36.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Drummond, Duncan, Early, Gilbert, Gill, Goar, Goodwin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kern, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shiveley, Stroup, Watson. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Duncan introduced Senate Bill No. 252, entitled :

A bill for an act providing for the reinvestment of funds belonging to certain educational institutions therein named, and repealing all laws in conflict therewith.

Read first time and referred to Committee on Education.

Senator New introduced Senate Bill No. 258, entitled :

A bill for an act concerning allowances for attorney's fees incurred in the prosecution and defense of criminal actions.

Read first time and referred to the Committee on Judiciary.

Senator O'Brien, by request, introduced Senate Bill No. 254, entitled :

A bill for an act authorizing educational institutions incorporated under the laws of the State of Indiana to admit to membership in its Board of Trustees trustees elected by the alumni of such institutions and declaring an emergency.

Read first time and referred to Committee on Education.

Senator Self introduced Senate Bill No. 255, entitled :

A bill for an act to amend section ninety-six (96) of an act entitled an act to provide for a general system of common

schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, the same being section 4892 of the Revised Statutes of the State of Indiana.

Read first time and referred to the Committee on Judiciary.

Senator Shiveley introduced Senate Bill No. 256, entitled :

A bill for an act to provide a statue of Oliver P. Morton for the National Statuary Hall in the Capitol at Washington, D. D., appropriating money therefor, authorizing the Governor to appoint a commission and to carry out the provisions hereof, and declaring an emergency.

Read first time and referred to Committee on Federal Relations.

Senator Shiveley presented the following petition :

We, the undersigned citizens of the United States and the State of Indiana, recognizing the evil effects resulting from the pernicious habit of cigarette smoking by the youth of our State, and the impracticability of regulating the sale of cigarettes within our State, respectfully petition your Honorable Bodies to enact a law to entirely prohibit the manufacture and sale of cigarettes within the State of Indiana, either by any company, partnership, association, or individual, and that you affix to such law a sufficient penalty for violations to insure the enforcement of the same. At a meeting of the faculty of Earlham College, held January 20, 1897, the President and Secretary were by unanimous vote directed to sign this petition and forward it to the General Assembly of the State of Indiana now in session.

E. P. TRUMBLOOD,  
Secretary.

J. J. MILLS,  
President.

Richmond, Ind., January 20, 1897.

Which petition was referred to the Committee on Public Health.

Senator Early by request introduced Senate Bill No. 257, entitled :

A bill for an act regulating the transaction of fire insurance business in the State of Indiana by corporations, agents, or persons representing fire insurance companies not legally authorized to transact the business of fire insurance in said State, and prescribing punishment for the violation of this act.

Read first time and referred to Committee on Judiciary.

The following communication was received in the Senate :

WORTHINGTON, IND., January 15, 1897.

*Hon. Andrew Humphreys :*

MY OLD FRIEND—Allow me to ask you one favor. Can you do anything by which you can get a bill passed to prevent the manufacture or sale of cigarettes in this State. It is doing a vast amount of damage to the young all over this State and everywhere else.

Yours, etc.,

S. B. HAROCH.

Read and referred to Committee on Public Health.

Senator Early introduced Senate Bill No. 258, entitled :

A bill for an act to legalize all actions of Notaries Public whose commissions have expired or who, at the time of transacting any notarial business, had no Notary Public commission, or who have been ineligible to office, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hubbell introduced Senate Bill No. 259, by request, entitled :

A bill for an act for the better protection of the fish of the State of Indiana and for the better enforcement of the laws pertaining thereto, making it a misdemeanor for any person to have netted fish in their possession or offering them for sale, and giving police powers to the Commissioner of Fisheries and his deputy.

Read first time and referred to Committee on Judiciary.

Senate Bill No. 92 was called up by Senator Alexander for third reading.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gill, Goar, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Watson. Total, 89.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Alexander moved to amend the title by substituting the following:

A bill for an act to amend section 1 of an act approved April 7, 1881, and being designated as section 1186 of the Revised Statutes of 1881, and being section 1 of an act to amend an act entitled an act concerning the partition of lands, approved May 20, 1852, and to repeal an act therein named.

F. M. ALEXANDER.

Which amendment was adopted.

On motion of Senator Hogate the Senate adjourned until Monday morning.

W. S. HAGGARD,

JAMES W. EGNEW,

President of the Senate.

Assistant Secretary of the Senate.



## MONDAY MORNING.

JANUARY 25, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by the Rev. Dr. Dobbs, of Indianapolis.

The Journal of the last preceding day's work was ordered read.

After a portion of the Journal was read the further reading was dispensed with on motion of Senator McCord.

The roll was then called for the introduction of petitions, memorials and remonstrances.

Senator Johnson presented the following petition :

UPLAND, INDIANA, January 22, 1897.

*Hon. Lafe Johnson, Indianapolis :*

DEAR SIR—The Legislative Committee of the State Council of the Junior Order, United American Mechanics, employs the means of this communication to petition the General Assembly of the State of Indiana in favor of *compulsory education* in the *public schools* for all children from eight to fifteen years of age for seven months in each year.

Very respectfully submitted by,

CHARLES W. REED, Upland,  
Z. L. McVICKER, Gas City,  
Committee.

Read and referred to the Committee on Education.

Senator Goodwine introduced the following petition signed by many and divers citizens of Warren County, Indiana :

“ We, the undersigned citizens of Warren County, Indiana, do petition your honorable body of Senators and Representa-

tives of the State of Indiana to regulate the toll system of millers as now practiced by them and known as the 'patent process system.' ”

Read and referred to the Committee on Mines, Mining and Manufactures.

The roll was then called for the introduction of bills.

Senator Gochenour introduced Senate Bill No 260, entitled :

A bill for an act to repeal section eleven (11) of “An act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair, and providing a penalty for the violation thereof,” approved February 28, 1889, and declaring an emergency.

Read first time and referred to the Committee on Swamp Lands and Drainage.

Senator Goodwine introduced Senate Bill No. 261, by request, entitled :

A bill for an act in relation to the taxation of lands in towns and cities.

Read first time and referred to the Committee on Finance.

Senator Hogate introduced Senate Bill No. 262, entitled :

A bill for an act in relation to Savings Banks, providing for the issuing of stock, the payment therefor and the liability of such stockholders, and for the compensation of the trustees, officers and agents of such banks, and declaring an emergency.

Read first time and referred to Committee on Corporations.

Senator Horner introduced Senate Bill No. 263, entitled :

A bill for an act for the comfort of employes and passengers of street railway companies.

Read first time and referred to the Committee on Corporations.

Senator Hugg introduced Senate Bill No. 264, entitled :

A bill for an act appropriating money for the payment of the claims of Fred Fuehring and William Fuehring, co-partners under the firm name and style of Fuehring Brothers, for sweeping Capitol Avenue, Washington Street, Ohio Street, New York Street, North Street, Circle Street and Senate Avenue for the year 1895, and for sprinkling Meridian Street, Vermont Street, New York Street, State Avenue and Randolph Street, in the city of Indianapolis, where the said streets abut on grounds belonging to the State of Indiana, and occupied and used for the State Capitol, Military Park, the Indiana Institute for the Education of the Blind, Monument Place, University Square, the Institution for the Education of the Deaf and Dumb, and the Indiana Reformatory Institution for Women and Girls, and declaring an emergency.

Read first time and referred to the Committee on Claims and Expenditures.

Senator Humphreys introduced Senate Bill No. 265, entitled :

A bill for an act to regulate the appointment of Bridge Superintendents by Boards of County Commissioners.

Read first time and referred to Committee on County and Township Business.

Senator Newby introduced Senate Bill No. 266, entitled :

A bill for an act to amend section thirty-five (35) of an act entitled an act for the relief of the poor, approved June 9, 1852.

Read first time and referred to Committee on Benevolent Institutions.

Senator Rinear introduced Senate Bill No. 267, entitled :

A bill for an act to provide for the levy of taxes by the Trustee of civil townships and the Trustees of incorporated towns, for the purpose of creating a fund out of which teachers in the public schools may be paid for janitor work done by them, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Self introduced Senate Bill No. 268, entitled:

A bill for an act concerning the duties of Township Trustees and matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Shiveley introduced Senate Bill No. 269, by request, entitled :

A bill for an act decreasing the number of Justices of the Peace, repealing all laws and parts of laws in conflict herewith.

Read first time and referred to the Committee on Organization of Courts.

Senator White, by request, introduced Senate Bill No. 270, entitled.

A bill for an act to abolish the State Live Stock Sanitary Commission, to provide for the appointment of a veterinary surgeon by the Governor, providing his duties and compensation and repealing all laws or parts of laws in conflict with the provisions of this act.

Read the first time and referred to the Committee on Agriculture.

Senator Wood introduced Senate Bill No. 271, entitled :

A bill for an act entitled an act defining the crime of criminal trespass, providing the punishment therefor, repealing inconsistent acts and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Alexander introduced Senate Bill No. 272, entitled :

A bill for an act to legalize all actions of Notaries Public whose commissions have expired or who at the time of transacting any notarial business had no Notary Public commission, or who have been ineligible to office, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

The roll was called for bills on second reading.

Senator Bobilya called up Senate Bill No. 2 for second reading.

Senator Ellison offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 2 by striking out in line 5, section 1, of printed bill, the words "original producer," and insert the word "owner."

ELLISON.

Which amendment was adopted.

Senator Ellison also offered the following amendment to Senate Bill No. 2 :

MR. PRESIDENT :

I move to strike out the word "rounded " in line 2 of section 2, and insert the word "square " instead.

ELLISON.

Which amendment was adopted, and the bill, as amended, was ordered engrossed.

Senator Holler asked that Senate Bill No. 71 be recommitted to the Committee on Prisons.

Which was done.

Senator Bozeman called up Senate Bill No. 37 on second reading.

Which was ordered engrossed.

Senator Duncan called up Senate Bill No. 147.

Senator Watson offered the following amendment to Senate Bill No. 147 :

MR. PRESIDENT :

I move to strike out " the proper railroad conductor," in line 5, section 1, and insert in lieu thereof " a guard who shall take said prisoner said distance."

WATSON.

Senator McCord offered the following amendment to Senate Bill No. 147 :

MR. PRESIDENT :

I move to amend section 1 of Senate Bill No. 147 by inserting after the word "money," in line 6 the following : " Which said sum shall be payable on a warrant issued by the warden of the prison, made payable by the County Treasurer, of such only as shall be designated by such discharged prisoner.

McCORD.

Senator Shiveley offered the following amendment to Senate Bill No. 147 :

MR. PRESIDENT :

I move to amend Senate Bill No. 147 by adding to the end of the first section thereof the following : *Provided*, That not more than \$8.00 shall be expended for the suit of clothes and not more than \$6.00 for the overcoat.

SHIVELEY.

Senator Hawkins moved to make Senate Bill No. 147, with amendments thereto, a special order for 2:30 P. M.

Which motion was carried.

Senate Bill No. 149 was read a second time.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has refused to concur in the amendment of the Senate to House Concurrent Resolution No. 8, a concurrent resolution providing for the appointment of a joint committee consisting of three on the part of the House and three on the part of the Senate to investigate certain matters of the Vandalia Railroad, in which it is claimed that a certain per cent. of the earnings thereof are to be converted into the State school fund by provisions of its charter, and the resolution and amendment by the Senate is herewith respectfully returned for the further consideration by the Senate.

Respectfully,

B. H. PRATHER,

Clerk of the House.

Senator Shiveley offered the following amendment to Senate Bill No. 149 :

MR. PRESIDENT :

I move to amend Senate Bill No. 149 by striking out all words and figures in line 2 in section 2 after the word "State" and the words "as determined by the census of 1890" in line 3.

SHIVELEY.

Senator McCord offered the following amendment to Senate Bill No. 149 :

MR. PRESIDENT :

I move to amend section 1 of Senate Bill No. 149 by inserting after the word "county" in line 3, the words "for an allowance."

McCORD.

Senate Bill No. 65 was taken up as a special order for eleven o'clock A. M.

Senator Hawkins offered the following amendment to Senator Drummond's amendment :

Amend section 3 by inserting in line 4, after the word "stubs," the following, "vouchers or register" and by inserting the words "vouchers or registers" after the word "stub" in line 5.

HAWKINS.

Senator McCord moved to re-commit Senate Bill No. 65 with amendments thereto, and Senate Bill No. 149, with amendments thereto, to Committee on County and Township Business, said committee to prepare a substitute to cover both.

Which motion was carried.

The following bills were called up on second reading and ordered engrossed :

Senate Bill No. 119.

Senate Bill No. 117.

Senate Bill No. 124.

Senate Bill No. 125.

Senator Hawkins called up Senate Bill No. 100 for second reading.

Senator Hawkins offered the following amendment to Senate Bill No. 100 :

MR. PRESIDENT :

I move to amend section 3 by striking out the word " assistant " in line 9 of printed bill.

HAWKINS.

Which amendment was adopted.

Senator Hawkins offered the following amendment to Senate Bill No. 100 :

MR. PRESIDENT :

I move to amend section 3 by inserting in line 12 after the word " compound " the following: " or who at the time of making application shall present a diploma of graduation from any school of pharmacy under the control of the State of Indiana, provided such person shall have served not less than two years in a store or pharmacy where physicians' prescriptions are compounded."

HAWKINS.

Which amendment was adopted.

Senator Hawkins offered the following amendment to Senate Bill No. 100 :

MR. PRESIDENT :

I move to amend section 3 of Senate Bill No. 100, by adding to the said section the following: " Also, upon the payment of such fee or fees, as hereinafter provided, said Board shall grant and issue a certificate or license as registered assistant pharmacist for two years, except as hereinafter provided, to any person, who, on the passage of this act, has been engaged for two years as a clerk in a store or pharmacy, where physicians' prescriptions are compounded, or who shall present a diploma of graduation from any school of pharmacy under the control of the State of Indiana, or who shall have passed a satisfactory examination before said Board." Also, section 10, by inserting in line 2, after the word " in," the words " compounding and."

Which amendment was adopted.



Senator Newby moved to substitute Senate Bill No. 135 for Senate Bill No. 100.

Motion was held out of order by the Chair.

Senator Ellison offered the following amendment to Senate Bill No. 100 :

MR. PRESIDENT :

I move to amend section 11 of Senate Bill No. 100 by inserting the numeral "4" after the word "section" in line 1.

ELLISON.

Which amendment was adopted.

Senator Ellison offered the following amendment to Senate Bill No. 100 :

MR. PRESIDENT :

I move to amend section 11 of Senate Bill No. 100, by striking out the word "ten" in line 3 and inserting in lieu thereof the word "one."

ELLISON.

Which amendment was adopted.

The bill was ordered engrossed.

Senator Houghton called up Senate Bill No. 51 for second reading.

Senator Johnston offered the following amendment to Senate Bill No. 51:

MR. PRESIDENT :

I move to amend Senate Bill No. 51 by inserting after the word "schools," in line 11 of the printed bill, the words "or other competent authority," and by striking out the words "the said" after the words "graduate of" in line 14 and inserting in lieu thereof the word "such" and by inserting after the word "authority," in said line, the words "or college," and by striking out the word "said" after the words "pedagogy of" in line 21 and inserting in lieu thereof the words "any such," and by inserting the words "or called" after the word "university" in line 22 thereof.

LAFE JOHNSON.

Which amendment was adopted.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 343, entitled an act to require the Terre Haute & Richmond Railroad and the Terre Haute & Indianapolis Railroad Company to furnish the Legislature with a statement setting forth certain facts, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Senator Houghton called up Senate Bill No. 12, for second reading.

Which was ordered engrossed.

On motion of Senator O'Brien the Senate adjourned.

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## MONDAY AFTERNOON.

JANUARY 25, 1897.

The Senate convened at 2 o'clock P. M. with Lieutenant-Governor Haggard in the chair.

Senator Ellison offered the following amendment to Senate Bill No. 117.

MR. PRESIDENT :

I move to amend Senate Bill No. 117, section 2, by striking out the words between the word Governor in line 4, and the word "as" in line 6, and inserting in lieu thereof the words two to serve one year, two to serve two years, two to serve three years, and to strike out the word six (6) in line nine and to insert the word three (3) in lieu thereof.

ELLISON.

Which amendment was adopted.

Senator Ellison offered the following amendment to Senate Bill No. 117:

MR. PRESIDENT:

I move to amend section 3 of Senate Bill No. 117, by striking out the words "The President of the Board shall be the member having the shortest time to serve," in lines 2 and 3, and inserting in lieu thereof "a President of said Board shall be elected at the first meeting of said Board, to serve for one year. At the next meeting after the expiration of said year, a successor shall be elected to serve the next year."

ELLISON.

Which amendment was adopted.

House Bill No. 343 was called up for third reading.

Senator Early made the point that Senate Bill No. 147 was a special order for that hour.

Point well taken and the consideration of House Bill No. 343 was temporarily dispensed with.

Senate Bill No. 147 was taken up upon special order.

Senator Hogate offered the following amendment to Senate Bill No. 147:

MR. PRESIDENT:

I move to amend section one of Senate Bill No. 147, as follows:

Section 1. *Be it enacted by the General Assembly of the State of Indiana,* That whenever any person shall be discharged from either State Prison in the State of Indiana, the Warden of such prison shall procure for him a durable suit of clothes, to cost not to exceed \$8, and shall procure a railroad ticket for such discharged person to a point not exceeding the distance from which he came to the prison, and when he has reached his destination, the guard shall pay such discharged person the sum of \$10: *Provided,* That such discharged person shall not be compelled to leave the town or county in which such prison is located.

HOGATE.

MR. PRESIDENT:

I move to amend Senate Bill No. 147 by adding thereto the following, which shall be designated as section 4:

SECTION 4. It shall be unlawful for any person to remain in the county in which either of the State prisons are located for more than one day after his release therefrom; and if he so remains longer than one day he shall be prosecuted; and, if found guilty, may be fined in any sum not less than five nor more than twenty-five dollars, and may be imprisoned in the county jail for any determined period, not to exceed six months, as the judge or jury trying the cause may deem proper.

Also, to amend section 4 by striking out the figure "4" after the word "section," and inserting in lieu thereof the figure "5."

WATSON.

Senator Ellison offered the following amendment to Senate Bill No. 147:

MR. PRESIDENT:

I move to amend section 1 of Senate Bill No. 147 by striking out the words "December and March," in line 7, and insert in lieu thereof the words "November and April."

ELLISON.

Senator Early offered the following amendment to Senate Bill No. 147:

I move to strike out all after the word "him" in line 3 of section one (1), and insert in lieu thereof the following, "and deliver to the proper railroad conductor, if said discharged person desires to leave the county where either of said prisons is located and proceed to some other point in the State, a railroad ticket to any point within this State to which such person may desire to go, not farther from said prison than the point from which he was sentenced, and shall furnish to said conductor, for the benefit of said discharged person, the sum of ten dollars (\$10.00) in money, to be given to said discharged person by said conductor when he arrives at his designated destination in return for an order for said sum to be furnished by the

warden to said discharged person, which order shall be said conductor's receipt, and shall give to said discharged person, upon his release, a durable suit of clothes, to cost not exceeding eight dollars (\$8.00), and if said person be discharged between the 1st day of December and the 1st day of March, an overcoat, to cost not exceeding six dollars (\$6.00). Said railroad conductor shall be and have the powers of a peace officer for the purposes of this act, and shall forward the order surrendered by said discharged person to the auditor of the railroad, and said auditor shall remit the same to the warden of the prison from which such person shall have been discharged.

EARLY.

Senator Ball moved to recommit Bill No. 147, with amendments thereto.

Which motion prevailed.

House Bill No. 343 was called and read second time.

Senator McCord moved to suspend the Constitutional Rule providing that bills shall be read on three several days, have the bill read a second time by title, read a third time by sections, and placed upon its passage.

The question being, Shall the Constitutional Rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Connor, Phares, Rinear, Rogers, Schneck, Self, Shea, Stroup, Watson, White, Wood. Total, 43.

Those voting in the negative were:

Senator O'Brien. Total, 1.

So the Constitutional Rule was suspended.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphrey, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Connor, Phares, Rinear, Rogers, Schneck, Self, Shea, Stroup, Watson, White and Wood. Total, 42.

Those voting in the negative were :

Senator O'Brien. Total, 1.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The roll was called for the introduction of bills on second reading.

Senator Humphreys called up Senate Bill No. 176 for second reading.

Senator Watson offered the following amendment to Senate Bill No. 176 :

MR. PRESIDENT :

I move to amend Senate Bill No. 176 by striking out the words "or twenty-five freeholders," in lines 2 and 3 of section 1.

WATSON.

Which amendment was adopted.

MR. PRESIDENT :

I move to amend Senate Bill No. 176 by striking out "fifty freeholders and taxpayers," in line 2, section 1, and inserting in lieu thereof "a majority of the voters."

WATSON.

Which amendment was adopted.

Senator Duncan moved to recommit Senate Bill No. 176, with amendments thereto, back to the Committee on Education.

Which motion was carried.

Senator Leich called up Senate Bill No. 157 for second reading.

Which was read and ordered engrossed.

Senate Bill No. 82 was read a second time.

At this time the President of the Senate vacated the chair and called President pro tem. Shiveley to preside.

Senator Newby moved that Senate Bill No. 82 be recommitted to Committee on Public Health.

Which motion prevailed.

The following communication was received from the House :  
MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 351, and House Concurrent Resolution No. 12, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Engrossed House Concurrent Resolution No. 12 :

WHEREAS, By the terms and provisions of the charter granted by the General Assembly of the State of Indiana on the 26th day of January, 1847, to the Terre Haute & Richmond Railroad Company and its successors, said corporation was required to pay to the Treasurer of the State of Indiana for the use of the common schools certain of the surplus profits of said corporation as provided in said charter, and

WHEREAS, No sum or sums whatever have ever been paid to the State of Indiana or to the Treasurer thereof, for the use of said common schools ; therefore be it

*Resolved by the House of Representatives, the Senate concurring,*  
That a committee consisting of four members of the House and a like number from the Senate, of which committee the Speaker of the House of Representatives shall be *ex-officio* chairman, be appointed, and that said committee be required with all reasonable dispatch to inquire what legislation, if any, is necessary in order to enable the State of Indiana, for the use of its common schools to enforce as against said Terre Haute & Richmond

Railroad Company and its successors, the right reserved under said charter, and that upon such investigation said committee shall be and they are hereby authorized to send for persons and papers and make such inquiries as to them as may seem necessary in order to fully inform themselves, and upon arriving at a conclusion, said committee is required, with all reasonable dispatch, to prepare and submit to this General Assembly for its action such a bill as in its judgment may be necessary and proper in order to enable the proper suit to be instituted and maintained to require the Terre Haute & Richmond Railroad Company and its successors to account for and pay over to the State for the use of the common schools under the provisions of said charter.

*Resolved, further,* That in the performance of said duty said committee be and they are hereby authorized to call upon the Auditor of State, the Attorney-General and any other officer of said State to assist them in the matter so committed to them, and that in the event they shall deem it necessary to employ experts for any purpose, they shall forthwith report to the General Assembly such necessity, and their report in that behalf shall have precedence of all other matters then pending in either house.

*Resolved, further,* That upon the final report of said committee recommending legislation the said report shall in either house have precedence of any and all matters as soon as the matter then pending shall be disposed of, and it shall be in order for said committee to call up for disposition the report of the committee with the legislation recommended immediately upon the conclusion of the particular matter then pending before either of said houses.

*Resolved, further,* That in the event of the reference of the report of said committee or of the bill recommended by it to any committee of either house, it shall be in order for any member of the committee appointed under this resolution in the event a report shall not be made upon this bill within three (3) days from and after its reference to any committee in either house, to require a report thereon forthwith, and to recall the same from the standing committee for action by the house at-large, notwithstanding any rule of the house in which the bill is then pending.



Senator Hawkins called up House Concurrent Resolution No. 12, and moved that the same be adopted.

Which motion prevailed.

Senate Bill No. 18 was read a second time and ordered engrossed.

Senate Bill No. 137 was called up for a second reading.

Senator McCord moved that the bill be recommitted to the committee.

Motion lost.

Senator McCord moved to make Senate Bill No. 137 a special order for 10:15 Tuesday.

Which motion was carried.

Senator Phares called up Senate Bill No. 140 for a second reading.

Senator Hogate offered the following amendment to Senate Bill No. 140.

MR. PRESIDENT :

I move that Senate Bill No. 140 be amended as follows :  
Strike section 11 from said bill, let section 12 be numbered section 11.

HOGATE.

Which amendment was adopted.

Senate Bills No. 67 and 159 were called up for a second reading.

Read a second time by title and ordered engrossed.

Senator Shiveley called up Senate Bill No. 70 for a second reading.

Senator Shiveley moved to suspend the constitutional rule requiring that bills shall be read on three several days, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnson of Dearborn, Kern, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Phares, Rinear, Rogers, Schneck, Shea, Shiveley, Stroup, Watson, White and Wood. Total, 44.

None voting in the negative.

So the constitutional rule was suspended.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bethell, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 47.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 22, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Senator Shiveley called up for second reading Senate Bill No. 84.

Senator Gochenour offered the following amendment to Senate Bill No. 84:

MR. PRESIDENT:

I move to amend section 2 of Senate Bill No. 84 by striking out the word "two" in line four of said section and inserting in lieu thereof the word "five."

J. C. GOCHENOUR.

Which amendment was lost.

Senator LaFollette offered the following amendment to the bill:

I move to amend Senate bill No. 84 by changing the word "eighteen" in line 1 of section 9 to "twenty-one;" also to change the word "eighteen" to "twenty-one" in line 3 of section 7.

LAFOLLETTE.

Which amendment was adopted.

Senator Ellison offered the following amendment:

MR. PRESIDENT:

I move to amend section 2, line 6, to insert the words "at retail" after the word "thereunder."

ELLISON.

Which amendment was adopted.

MR. PRESIDENT:

I move to amend section 6, Senate Bill No. 84, by striking out the word "twenty-five" and insert in lieu thereof the word "two hundred."

ELLISON.

Which amendment was adopted.

Senator Watson offered the following amendment to Senate Bill No. 84:

MR. PRESIDENT:

I move to amend Senate Bill No. 84 by striking out the word "two" in line four, section 2, and insert in lieu thereof the word "four."

WATSON.

Which amendment was adopted.

MR. PRESIDENT :

I move to strike section 9 out of the printed bill No. 84.

NEWBY.

Which amendment was lost.

And the bill was ordered engrossed.

Senate Bill No. 2 was ordered engrossed.

Senator Hawkins moved that the vote on Senate Bill No. 2, whereby said bill was sent to engrossment, be re-considered.

Which motion was carried.

MR. PRESIDENT :

I move to amend Senate Bill No. 2 by adding to section 2 of said bill the following: *Provided*, That the provisions of this act shall not apply to wheat or grain that is inspected or graded by the car load under the regulations of any Board of Trade.

HAWKINS.

Which amendment was adopted.

The bill was ordered engrossed.

Senator Watson, Chairman of the Committee on Railroads, made the following report :

MR. PRESIDENT :

Your Committee on Railroads, to which was referred Senate Bill No. 165, introduced by Senator Hubbell, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.

House Bill No. 351 was read and referred to Committee on Judiciary.

House Bill No. 22 was read and referred to Committee on Organization of Courts.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 39, the same being a bill for an act providing for the maintenance of levies and floodgates, etc., introduced by Mr. Early, has had the same under consideration and beg leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Shea introduced the following petition :

HEADQUARTERS GEORGE RIDDEN POST No. 275,  
DEPARTMENT OF INDIANA, G. A. R.,  
SCOTTSBURGH, INDIANA.

At a regular meeting held at their hall, Saturday, January 23, 1897, the following resolutions were adopted :

WHEREAS, Senator Joseph H. Shea has introduced a bill in the Indiana Legislature appropriating one thousand dollars for the erection of a monument on the site and in commemoration of the Pigeon Roost Massacre; therefore, be it

*Resolved*, That George Ridlen Post, No. 275, G. A. R., heartily approves said bill, and appeals to the Representatives of Indiana to pass said bill.

M. B. PETERSON,  
Commander pro tem.

J. H. J. SWIP,  
Adjutant.

\*.....\*  
: JURAT. :  
\*.....\*

Read and referred to Committee on Military Affairs.

Senator New moved to adjourn.

Which motion was lost.

Senator Wood called up Senate Bill No. 73 for second reading.

Senator Hogate moved to make Senate Bill No. 73 a special order for Tuesday at 2:30 p. m.

Which motion was carried.

On motion of Senator New the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## TUESDAY MORNING.

JANUARY 26, 1897.

The Senate convened at 10 o'clock A. M. with Lieutenant-Governor Haggard in the chair.

Prayer was offered by the Rev. Dr. Lucas of Indianapolis, Indiana.

The Journal of the preceding day was ordered read.

After the reading of a portion of the Journal, the further reading was dispensed with on motion of Senator Hogate.

The roll-call for bills on second reading was resumed.

Senator Wood called up Senate Bill No. 116.

The bill was read a second time by title and ordered engrossed.

The roll was called for bills on third reading.

Senator Duncan called up Senate Bill No. 93 for third reading.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, MaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White and Wood. Total, 47.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senate Bill No. 137 was taken up as a special order for 10:15.

Senator McCord offered the following amendment to Senate Bill No. 137 :

MR. PRESIDENT :

I move that section 2 of Senate Bill No. 137 be numbered 5, and that the following sections, Nos. 2 and 3, be added to such bill :

Section 2. In the event it shall be finally adjudicated in any such case that any such lien is superior in equity to the lien of the mortgage to the State of Indiana, no order for the sale of such real estate shall issue on such judgment within six months from the date of its rendition, during which time it shall be the duty of the Auditor of State to cause such real estate to be appraised at its fair cash value by two appraisers to be by him appointed; and in case such appraisers shall appraise such real estate at a valuation exceeding the amount of the lien adjudged to be prior to such mortgage, with interest, costs and attorneys' fees, if any thereon, then in such case the Auditor of State shall be and is authorized and empowered for and on behalf of the State of Indiana, to bid at the foreclosure sale such sum therefor as he may deem necessary to protect the mortgage to the State of Indiana, and may draw his warrant upon the

Treasurer of State against funds in the Treasury not otherwise appropriated, for the amount of his bid in payment thereof.

Section 3. In case any suit be instituted against the State as hereinbefore provided, the Attorney-General shall appoint a special deputy to defend such suit on behalf of the State, who shall be paid for his services such compensation as may be fixed by the Judge of the court in which suit is pending, to be taxed as costs and recovered as a part of the costs of the State in case such lien is adjudged inferior to the lien of the mortgage to the State; and in case any such lien shall be adjudged to be superior to that of the mortgage to the State of Indiana, the Auditor of the State shall draw his warrant on the Treasurer of State upon any funds in his hands not otherwise appropriated, in favor of such special deputy for the amount of the fees so allowed him.

McCord.

Which amendment was adopted and the bill ordered engrossed.

Senator Holler, Chairman of the Committee on Prisons, made the following report on the expenses of the trip of inspection to the Prison North, and in connection therewith offered the subjoined resolution:

Expense of Prison Committee—	
Michigan Central Railroad Company, transportation.....	\$23 80
Monon Railroad Company, transportation.....	11 60
Hotel expenses.....	23 00
Carriage.....	2 00
Total.....	<hr/> \$60 40

*Resolved*, That the Assistant Secretary, be authorized to draw his warrant in favor of H. L. Hutson for the sum of money above set forth on account of the Investigation Committee of the Senate for the Prison North.

We, the committee hereby certify that the foregoing account is correct and that said expenses were reasonable and necessary for the investigation of the Prison North.

C. HOLLER,  
Chairman.

Which report and resolution was referred to the Committee on Claims and Expenditures.



Senate Bill No. 115 was taken up as a special order for 10:30 o'clock.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 96 and 115, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 221 and 228, and the same are herewith returned for the action of the Senate.

B. H. PRATHER,  
Clerk.

Engrossed House Bill No. 96 was referred to the Committee on Agriculture, and Engrossed House Bill No. 115 was referred to the Committee on Cities and Towns.

Senator Wood moved to reconsider the vote by which the minority report on Senate Bill No. 115 was adopted.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Campbell, Gill, Goodwine, Gostlin, Hugg, Humphreys, Johnson of Madison, Kerns, Leich, Newby, Nusbäum, O'Connor, Rinear, Rogers, Shiveley and Wood. Total, 17.

Those voting in the negative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Drummond, Duncan, Early, Gilbert, Goar, Gochenour, Hawkins, Hogate, Holler, Horner, Houghton, Johnston of Dearborn, LaFollette, McCord, Mull, New, O'Brien, Schneck, Self, Shea, Stroup, Sweeney, Watson and White. Total, 28.

So the motion to reconsider was lost.

Senator Bobilya called up Senate Bill No. 2 for third reading.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Early, Gilbert, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Rogers, Schneck, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

Those voting in the negative were :

Senators Campbell, Gill. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Bobilya offered the following amendment to the title :

MR. PRESIDENT :

I offer the following amendment to the title of Senate Bill No. 2: By adding "and providing penalties for violation thereof," and strike out the word "rounded" and insert in lieu thereof the word "square."

BOBILYA.

Which amendment was adopted, and the title as amended ordered to stand as the title of the act.

Senate Bill No. 96 was read a third time and put upon its passage.

The question being, Shall the bill pass?

Senator Johnson of Madison, at this time, by unanimous consent, presented a petition, signed by divers and numerous persons of Madison County, asking the General Assembly to so amend the present fish law that the citizens of the State of

Indiana may have the privilege of taking fish during the months of September and October of each year by the use of seines or traps.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Hawkins, Hogate, Hubbell, Hugg, Johnston of Dearborn, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rogers, Shiveley, Watson, White, Wood. Total, 28.

Those voting in the negative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Collett, Gill, Holler, Horner, Houghton, Humphreys, Johnson of Madison, Kerns, McCord, O'Connor, Rinear, Schneck, Self, Shea, Stroup, Sweeney. Total, 20.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Newby, having voted in the affirmative, moved that the vote be reconsidered. Senator Duncan moved that the motion of Senator Newby be laid on the table. The Chair being in doubt, a division was ordered, by which it was shown that 24 voted in the affirmative and 21 in the negative. The motion of Senator Duncan was therefore carried.

On motion of Senator Holler, the Senate adjourned.

## TUESDAY AFTERNOON.

JANUARY 26, 1897.

The Senate convened at 2 o'clock p. m., with Lieut.-Governor Haggard in the chair.

Senator Shiveley introduced Senate Bill No. 273, entitled :

A bill for an act supplemental to, and in aid of, an act entitled an act concerning taxation, repealing all laws in conflict therewith, approved March 6, 1891, defining misdemeanors in connection therewith, and providing penalties therefor, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Shiveley, by request, introduced Senate Bill No. 274, entitled :

A bill for an act to amend section ninety-two (92) of an act to amend section ninety-two (92) of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency, approved March 4, 1893, and declaring an emergency and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on County and Township Business.

Senator Ball introduced Senate Bill No. 275, entitled :

A bill for an act to amend section one (1), the same being section 5656 of the Revised Statutes of 1894, of an act entitled an act to amend sections two (2) and eight (8) and nine (9), the same being sections 4286-4292 and 4293 of the Revised Statutes of 1881, of an act entitled an act to enable the owners of lands to drain and reclaim them when the same can not be done without affecting the lands of others; prescribing the powers and duties of the County Commissioners and other officers in the premises, and to provide for the repair and enlargement of such drain; and repealing certain acts therein specified, and declar-

ing an emergency and providing for a right of action on the bond therein provided.

Read first time and referred to the Committee on Swamp Lands and Drains.

Senator Duncan introduced Senate Bill No. 276, entitled :

A bill for an act to promote school attendance and to improve school discipline, and prescribing penalties for violations of this act.

Read first time and referred to Committee on Education.

Senator Duncan introduced Senate Bill No. 277, entitled :

A bill for an act in relation to the control and government of certain penal, benevolent and reformatory institutions.

Read first time and referred to Committee on Benevolent Institutions.

Senator Collett offered Senate Resolution No. 26, as follows :

*Resolved*, That the Assistant Secretary be authorized to draw his warrant in favor of C. Pelzer for the following sums, on account of the investigation committee of the Senate and House of Representatives for the Northern Hospital for Insane, Indiana School for Feeble Minded Youth, Eastern Hospital for Insane, as follows :

Pennsylvania Company, transportation .....	\$158 95
Hotel at Logansport .....	3 90
Hotel at Ft. Wayne and Richmond.....	18 75
Telegraphing.....	2 00
Expenses at Richmond.....	4 00

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Total.....\$187 60

We, the committee, hereby certify that the foregoing account is correct, and that said expenses were reasonable and necessary for the investigation of the above named benevolent institutions.

W. M. COLLETT,  
Chairman.

Which was read and referred to the Committee on Claims and Expenditures.

Senator Nusbaum offered Senate Resolution No. 25, as follows :

*Resolved*, That the Senate hereby extends an invitation to the Reverend Samuel W. Small to offer prayer at the opening of the Senate to-morrow morning, and that Senators Alexander, Newby and Hawkins be appointed a committee to wait on the reverend gentleman and make known to him the wishes of the Senate.

NUSBAUM.

Which resolution was read and adopted.

Senator Gill introduced Senate Bill No. 278, entitled :

A bill for an act to define and limit the power of cities and towns over taxation of lands used for agricultural purposes, within corporate boundaries.

Read first time and referred to Committee on Cities and Towns.

Senator Bozeman introduced Senate Bill No. 279, entitled :

A bill for an act providing for the construction and maintenance of gravel roads in the State of Indiana, and prescribing the duties of County Commissioners, Surveyors and Township Trustees.

Read first time and referred to Committee on Public Roads.

Senator Bozeman introduced Senate Bill No. 280, entitled :

A bill for an act to legalize the incorporation of the town of Cyuthiana, in Posey County, Indiana, and to legalize the election and qualification of the several Boards of Trustees and other officers, and all acts and ordinances, resolutions and by-laws, and the levying assessments and collecting taxes and other proceedings of the Board of Trustees of said town, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator Gilbert introduced Senate Bill No. 281, entitled :

A bill for an act construing section 25 of an act entitled an act to enable the owners of lands to drain them and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of County Commissioners and other officers in the premises, and to provide for the repair and enlargement of such drains and repealing certain acts therein specified and declaring an emergency.

Read a first time and referred to Committee on Swamps and Drains.

Senator Hubbell, by request, introduced Senate Bill No. 282, entitled :

A bill for an act to require all persons, firms, companies or corporations owning or operating, whether as owners or lessee, any buffet car, dining car, drawing-room car or sleeping car on any railroad or railroads in the State of Indiana, to procure a license to sell, barter or give away for any purpose of gain, any spirituous, vinous or malt liquor in any quantity whatever on said cars while in the State of Indiana, providing a penalty for the violation of the provisions of this act and declaring an emergency.

Read first time and referred to the Committee on Temperance.

Senate Bill No. 73 was taken up as a special order for second reading.

The bill was read a second time.

Senator LaFollette offered the following amendment to Senate Bill No. 73 :

MR. PRESIDENT :

I move to amend section 3 by adding in line 5 immediately following the word "evidence" the words, "given in the cause"; also, by adding in line 6 following the word "such" the words, "original longhand"; also, by adding in line 7 immediately preceding the word "transcript" the words, "original longhand"; also, in line 9 insert the words "original

longhand" immediately preceding the word "transcript"; also, insert in line 10 following immediately the word "sufficient" the words, "on appeal".

LA FOLLETTE.

Senator Hogate offered the following amendment to Senate Bill No. 73:

MR. PRESIDENT:

I move to amend Senate Bill No. 73, as follows:

Strike out the word "eight" in line 8, section 8, and insert "five".

HOGATE.

Senator McCord offered the following amendment to Senate Bill No. 73:

MR. PRESIDENT:

I move to amend section one (1) of Senate Bill No. 73 by inserting after the word "shall" in line 4 the words, "if he or they deem it advisable".

McCORD.

Senator Hubbell offered the following amendment to Senate Bill No. 73:

MR. PRESIDENT:

I move to amend section six by inserting after the word "prepared," in line ten, the following words: "Shall be a part of the record of said cause and."

HUBBELL.

Senator Duncan offered the following amendment to Senate Bill No. 73:

MR. PRESIDENT:

I move to amend section 1, line 4, by striking out the word "shall" and inserting the word "may" in its stead.

DUNCAN.

Also:

After the word day, in line 5 of section 1, by adding the words, "His presence may be required by any party to the suit on trial."

DUNCAN.



Senator Duncan offered the following amendment to Senate Bill No. 78:

MR. PRESIDENT:

I move to amend Senate Bill No. 73, by striking out section 9 of the printed bill.

DUNCAN.

Senator Shiveley offered the following amendment to Senate Bill No. 73:

MR. PRESIDENT:

I move to amend Senate Bill No. 73, by inserting after the word "Court," in line three (3) in section (6) six, the following: "if he find said transcript correct."

SHIVELEY.

Senator Shiveley offered the following amendment to Senate Bill No. 73:

MR. PRESIDENT:

I move to amend Senate Bill No. 73 by striking out the word "eight" in the eighth line of section 8, and inserting in lieu thereof the word "five."

SHIVELEY.

Senator Ball offered the following amendment to Senate Bill No. 73:

MR. PRESIDENT:

I move to amend section five, line two, by adding, after the word "of," the words "the evidence and."

WALTER L. BALL.

Senator Early moved to recommit Senate Bill No. 73 with amendments thereto to Committee on Judiciary.

Which motion was carried.

Senate Bill No. 97 was called up for third reading.

The bill was read a third time.

Senator Hubbell moved that the bill be referred to Senator Gilbert as a committee of one to amend by inserting the words "per annum."

Motion carried.

Senator Gilbert offered the following report upon Senate Bill No. 97:

MR. PRESIDENT:

Your committee of one, to which was referred Senate Bill No. 97. with instructions to insert the words "per annum," has complied with the instructions of the Senate and return the bill for its further action.

GILBERT.

Which report was adopted.

The bill was then put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Watson. Total, 37.

Those voting in the negative were:

Senators Gill, Houghton, O'Connor, Rinear. Total, 4.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

The Lieutenant-Governor announced the Senate committee on the Vandalia affair as follows: Senators LaFollette, McCord, Drummond and Gilbert.

Senate Bill No. 99 was called up for third reading. The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton,

Hubbell, Hugg, Johnson of Madison, Leich, Mull, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Watson, Wood. Total, 38.

Those voting in the negative were :

Senators Johnston of Dearborn, Kerns, LaFollette. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

Senate Bill No. 125 was called up for third reading. The bill was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called :

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Rogers, Self, Shea, Shiveley, Stroup, Watson. Total, 40.

Those voting in the negative were :

Senators Sweeney, Wood. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senate Bill No. 47 was called up for third reading.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass ?

At 3:05 the President of the Senate vacated the chair and called Senator Houghton to preside.

Senator Rinear moved that the bill be recommitted to the author for amendment.

Which motion prevailed.

Senate Bill No. 101 was called up for third reading.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

Senator Newby made the following motion :

MR PRESIDENT :

I move that Senate Bill No. 101 be recommitted to its author for amendment, and that he be directed to amend it as follows, to wit :

Strike out all that part of section one (1) commencing with the word "more" in line 6 and ending with the word "another" in line 7 and insert in lieu thereof the following words, "any county other than the one in which the principal office thereof is situate".

NEWBY.

Which motion prevailed.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Ellison, Gill, Goar, Goche-nour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, O'Brien, O'Connor, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson and White. Total, 37.

Those voting in the negative were :

Senators Early, Holler, Houghton, Humphreys and Newby. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Early offered the following motion :

MR. PRESIDENT :

I move that Senator Hogate be instructed to strike out the word "first" in line eight of section 1, and in line 15 of said section, and line 18 of said section, and the word "third" be inserted in lieu thereof in each of said lines.

EARLY.

Which motion was carried.

The Lieutenant-Governor resumed the Chair at 3:40.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

INDIANAPOLIS, January 26, 1897.

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 221 and 228, introduced by Senators Gill and Self respectively and have compared the same with the engrossed bill and find that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Holler called up Senate Bill No. 117 for third reading.

Senator LaFollette moved to make Senate Bill No. 117 a special order for Tuesday at 2 o'clock.

The motion carried.

Senator Holler called up Senate Bill No. 119 for a third reading.

The bill was read a third time.

Senator Houghton offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 119 be recommitted to its author with instructions to amend the same by inserting the word "male" after the word "any" in line 3 of section 1 thereof.

HUGHTON.

Which motion was carried.

Senator Holler, to whom was referred Senate Bill No. 119, made the following report :

MR. PRESIDENT :

Your committee of one, to whom was referred Senate Bill No. 119 with instructions, has complied with the instructions of the Senate, and herewith returns the bill amended in accordance with such instructions for the further action of the Senate.

C. HOLLER.

Which report was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 62, and the same is herewith returned for the action of the Senate.

B. H. PRATHER,  
Clerk.

Senate Bill No. 119 was then put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gill, Gochenour, Goodwine, Holler, Horner, Houghton, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood.  
Total, 38.

Those voting in the negative were :

Senators Hawkins, Hugg, Humphreys, Johnston of Dearborn. Total, 4.

So the bill passed.

The question being, Shall the title of the bill stand as the title to the act?

It was so ordered.

Senator Houghton called up Senate Bill No. 10 on third reading.

The bill was read.

Senator Newby moved to suspend the regular order of business in order to give committees time to report and then adjourn.

The motion was lost.

Senator Newby then moved to adjourn.

A division was called for and the motion prevailed.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## WEDNESDAY MORNING.

JANUARY 27, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by Elder D. R. Lucas, of Indianapolis.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 32 and 367, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Clerk.

Also:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 48 and Engrossed Senate Concurrent Resolution No. 7, and the same is herewith returned for the action of the Senate.

B. H. PRATHER,  
Clerk.

After reading a portion of the Journal, on motion of Senator Leich the further reading of the Journal was dispensed with.

Senator O'Brien moved to substitute Engrossed House Bill No. 32 for Senate Bill No. 18.

Motion carried.

The President ordered the regular order of unfinished business resumed.

Senator Ellison raised a point of order that there was a special order for this hour, which point was sustained by the Chair.



Senator Ellison asked that Senator Hubbell be excused on account of the death of a relation.

The request was granted.

Senate Bill No. 10, being a special order for this hour, was put upon its passage.

Senator Holler moved to have Senate Bill No. 10 referred to a committee of one with instructions to insert the words "any farm building" in said bill in lieu of the words "any wooden building."

Which motion was lost.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Bobilya, Bozeman, Gostlin, Hawkins, Holler, Houghton, Hugg, Johnson of Madison, Kerns, McCord, Mull, New, O'Brien, Phares, Rinear, Schneck, Self, Shea, Shiveley, Watson, White. Total, 21.

Those voting in the negative were:

Senators Alexander, Ball, Bethell, Campbell, Drummond, Duncan, Ellison, Gilbert, Gill, Gochenour, Goodwine, Hogate, Horner, Humphreys, Johnston of Dearborn, LaFollette, Leich, Nusbaum, O'Connor, Rogers, Sweeney, Wood. Total, 22.

So the bill failed to pass.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred Senate Resolution No. 24, introduced by Senator Holler, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the same be allowed.

HUGG,  
Chairman.

Which report was unanimously concurred in.

Senator Gostlin moved that the Senate do now take a recess for twenty minutes.

Motion carried.

The Senate reconvened at 11:50 A. M., with Lieutenant-Governor Haggard in the chair.

Senator Shiveley, by request, introduced Senate Bill No. 283, entitled :

A bill for an act to amend sections 1, 6, 8, 9, 10 and 13 of an act entitled an act to establish a State Board of Health, defining its powers and duties, providing a system of registration, and report of vital and sanitary statistics in connection therewith, and prescribing the duties of certain officers in relation thereto; providing for towns, cities and county boards of health, prescribing penalties for the violation of provisions thereof, fixing an appropriation for the expenses of the same, repealing acts in conflict therewith, and declaring an emergency, and approved February 19, 1891, and declaring an emergency.

Read first time and referred to the Committee on Public Health.

Senator McCord introduced Senate Bill No. 284, entitled :

A bill for an act concerning building, loan and savings associations, and the fees and charges thereof, prescribing certain duties of persons named therein, and the penalties for the violation thereof.

Read first time and referred to the Committee on Building and Loan Associations.

Senator Shiveley, by request, introduced Senate Bill No. 285, entitled :

A bill for an act to prevent the spread of yellows, a contagious disease among peach, almond, apricot and nectarine trees and to prevent the spread of black-knot, a contagious disease among cherry, prune and plum trees, or any other contagious disease of fruit trees, also the infection known as the San Jose scale, and other noxious insect pests and to provide measures for the eradication of the same.

Read the first time and referred to the Committee on Agriculture.

Senator Gostlin, Chairman of the Committee on Elections, made the following report:

MR. PRESIDENT:

Your Committee on Elections, to which was referred the matter of the contest of Uriah Culbert *vs.* George W. Rogers, begs leave to report that we have examined all the evidence submitted and find that the said Rogers was the candidate of the Democratic party in and of the county of LaPorte, and State of Indiana, for the office of State Senator, at the election held on the 3d day of November, 1896, and the said Uriah Culbert was the candidate of the Republican party of said county for said office; that at said election the said Rogers was not legally elected to said office, but that the said Culbert was legally elected, and that he, the said Culbert, is entitled to a seat in this Senate as a Senator, representing said county of LaPorte.

We therefore recommend that the said Uriah Culbert be sworn in as a member of this Senate, and that he be authorized and permitted to take a seat therein as the legal representative of and for the said county of LaPorte.

W. H. GOSTLIN, Chairman,  
L. P. NEWBY,  
WILL R. WOOD,  
R. O. HAWKINS,  
J. D. EARLY.

The following minority report was also presented:

MR. PRESIDENT:

Your Committee, to which was referred the contest of Culbert *vs.* Rogers for a seat in the Senate, begs leave to make the following report:

We find that it is admitted that in forty six out of the forty-nine precincts in LaPorte County the Republicans had a majority of the election officers, and that no memoranda of any irregularities appear of record. We find that at the beginning of the contest the testimony was taken by deposition by commission, and that after the return of such evidence to the Senate the contestor was permitted to and did file *ex parte* affidavits, the contestee having taken his evidence as provided by

statute, which excludes ex-party affidavits. That upon the deposition taken as by law provided we find that the contestee, Rogers, made a net gain of eight votes.

We further find that the majority as returned by the election board in favor of Rogers was nineteen, making a total majority, as appears from the deposition taken in the case by the commission, of 27.

We find that afterward permission was given by this committee to take additional testimony by the contestee, but owing to the short time which intervened between the date of permission and the date fixed for the filing of additional testimony that the contestee was unable to take all such testimony by deposition, but prepared and filed ex-party affidavits; that only such affidavits as were strictly in rebuttal were received by the committee, and such affidavits as showed irregularities in Republican votes were excluded, although the evidence of the contestor upon the same subject had been received.

We find that there was no fraud, but that all irregularities charged by the contestor to have existed grew out of the improper stamping of ballots, the question of residence, and the fact that some voters claimed to have been Republicans were challenged and not permitted to vote.

Upon the subject of improper stamping, we find that out of the eleven votes claimed to have been improperly stamped there were but five which the evidence shows were improperly counted.

Upon the question of residence, we find that of the number of votes questioned, that no person who had a residence was deprived from voting, and no person who had not a residence was permitted to vote.

Upon the subject of challenging and exclusion of Republican votes, we find that in every instance where Republican votes were challenged and excluded that no affidavits, as required by law, were made by the parties seeking to vote, but that, on the contrary, in each case where challenged the party left the voting place without affidavit and did not return and offer to vote.

We find that Ira Barber, O. C. Neal, Frank A. Boyd, Howard Miller, Paul J. Seymour and Otto Volheim, Republicans

voting for Culbert, had no residence at the time of the election but were permitted to vote in each case after challenged, and that, as to these persons, no testimony in rebuttal has been introduced by the contestor, and stands admitted.

That as to D. E. Long, a Republican, a fair preponderance of the evidence shows that at the time D. E. Long voted he was not a resident and had no right to vote.

That Zila Foster, a resident of Laporte County for over fifty years, and upwards of eighty years of age, was prevented from voting and forcibly put out of the voting place for the reason that when he asked the clerks to stamp the ballot, he being unable to see, he stated in the presence of the election board officers that he wanted the rooster stamped, he, therefore betrayed his intention and destroyed the secrecy of his ballot.

To recapitulate, we find that the election board returned a majority of nineteen in favor of Mr. Rogers, which, with the eight votes not denied by contestor which were improperly cast for Culbert, makes a total majority of twenty-seven.

We find that there are but nine votes claimed by contestor to have been improperly cast which have not been rebutted by contestee; which leaves a majority in favor of Mr. Rogers of eighteen.

We, therefore, recommend that Geo. W. Rogers retain his seat.

Very respectfully submitted,

A. HUMPHREYS,  
COLUMBUS JOHNSTON.

Senator Gostlin moved that the report of the Committee on Elections be made a special order for Thursday, January 28, 1897, at 10:30 A. M., and that an hour be allowed on a side for argument.

Which motion was carried.

Senator Gostlin moved that the Senate do now adjourn.

Which motion was carried.

## WEDNESDAY AFTERNOON.

JANUARY 27, 1897.

Senate convened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the Chair.

The roll call for third reading of bills was resumed.

Senator Hogate made the following report:

MR. PRESIDENT:

Your committee of one (the author), to which was referred Senate Bill No. 47, introduced by Mr. Hogate, has had the same under consideration and begs leave to report the same back to the Senate, with the report that he has had said bill re engrossed, including the amendment proposed by Senator Early, and as now engrossed recommends that the bill do pass.

HOGATE.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 191, introduced by Senator Collett, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 217, the same being a bill for an act to authorize Boards of County Commissioners to make certain donations, etc., introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate,

with the recommendation that said bill be indefinitely postponed.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 226, the same being a bill for an act concerning the election of School Trustees, introduced by Senator Gostlin, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, to which was referred House Bill No. 96, the same being a bill for an act to amend section 1 of an act entitled an act for the regulation of weights and measures, approved March 9, 1895, introduced by Mr. Smith of Allen, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Watson introduced Senate Bill No. 286, entitled:

A bill for an act to provide for the better government, control, management and general supervision of the State Prison at Jeffersonville and Michigan City, Indiana, providing for the appointment of Boards of Control for said prisons and other matters properly connected therewith, fixing the terms of office of the members of said Board of Control, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Prisons.

Senator Sweeney, by request, introduced Senate Bill No. 287, entitled :

A bill for an act to amend section ten of an act entitled an act concerning ferries, and prescribing punishment for the violation of its provisions, approved April 16, 1881, the same being section 488<sup>4</sup>, Revised Statutes 1881.

Read first time and referred to Committee on Roads.

Senator Sweeney introduced Senate Bill No. 288, entitled :

A bill for an act to legalize all action of Notaries Public, whose commissions have expired, or who, at the time of transacting any notarial business, had no Notary Public commission, or who have been ineligible to office, and declaring an emergency.

Bill read the first time and referred to Committee on Judiciary.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined enrolled Senate Bill No. 62, introduced by Senator Newby, and has compared the same with the engrossed bill, and finds that said bill has been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator New introduced Senate Bill No. 289, entitled :

A bill for an act defining school districts of the first grade, and establishing the system of school government therein :

Read first time and referred to Committee on City of Indianapolis.



Senator Hogate, by request, introduced Senate Bill No. 290, entitled :

A bill for an act for the propagation and protection of fish, the appropriation of \$3,000 for said purposes and the appointment of fish wardens, and providing penalties for the violation of such act and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Hogate introduced Senate Bill No. 291, entitled :

A bill for an act to award a State's life license to the graduates of schools having a course in pedagogy and declaring an emergency.

Read first time and referred to Committee on Education.

Senator Nusbaum introduced Senate Bill No. 292, entitled :

A bill for an act regulating insurance and indemnity contracts, prohibiting the imposition of certain conditions in connection with the payment of losses and benefits thereon and declaring the same void.

Read first time and referred to the Committee on Insurance.

Senator Hawkins introduced Senate Bill No. 293, entitled :

A bill for an act to provide for the greater purity of elections, for the casting and registering of votes, by means of voting machines, and supplementary to and in aid of an act entitled an act concerning elections, providing penalties for the violation of the same and repealing all laws in conflict therewith, approved March 6, 1889, and all laws supplementary thereto and amendatory thereof and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hawkins introduced Senate Bill No. 294, entitled :

A bill for an act supplemental to an act entitled an act concerning liens of mechanics, laborers and material men, approved March 6, 1883, and supplemental to an act entitled an act concerning liens of mechanics, laborers and material men, amending sections 1, 2, 3 and 6 of an act entitled an act concerning liens of mechanics, laborers and material men, approved

March 6, 1893, repealing section 5 of said act, amending section 1 of an act entitled an act concerning liens of mechanics, laborers and material men, approved April 13, 1885, repealing all laws and parts of laws in conflict therewith and declaring an emergency, approved March 9, 1889, providing for notice and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Mull, by request, introduced Senate Bill No. 295, entitled :

A bill for an act concerning assessments and liens on real estate, for improvements upon, or in streets, sidewalks and alleys in incorporated towns and cities of less than twelve thousand inhabitants and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Act No. 343, and the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Clerk.

Senator Mull, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT :

Your Committee on Finance, to which was referred Senate Bill No. 246, the same being a bill for an act to amend section 113 of an act concerning taxation, introduced by Senator Shiveley, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

THOMAS K. MULL,  
Chairman.

Which report was concurred in.

Senator Mull, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

Your Committee on Finance, to which was referred Senate Bill No. 261, the same being a bill for an act in relation to the taxation of lands in towns and cities, introduced by Senator Goodwine, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

THOMAS K. MULL,  
Chairman.

Which report was concurred in.

Senator Early, Chairman of the Committee on the Revision of the Constitution, offered the following report :

MR. PRESIDENT :

Your Committee on the Revision of the Constitution, to which was referred Joint Resolution No. 3, introduced by Senator Horner, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said Joint Resolution No. 3 be indefinitely postponed, for the reason that said resolution proposes an amendment to the Constitution, and there being now pending before the General Assembly two amendments of the Constitution, the proposed amendment is premature and out of order under section 2 of article 16 of the Constitution.

J. D. EARLY,  
Chairman.

Which report was concurred in.

Senator Horner introduced Senate Bill No. 296, entitled :

A bill for an act requiring Notaries Public and other officers to affix date of expiration of their commissions to all certificates of acknowledgment.

Read first time and referred to Committee on Judiciary.

Senator Shea introduced Senate Bill No. 297, entitled :

A bill for an act making it unlawful for persons, corporations, or institutions to confer academic degrees or titles except when empowered to do so by the State Board of Education, and providing a penalty for the violation thereof.

Read first time and referred to Committee on Education.

Senator Campbell presented numerous petitions signed by divers and sundry inhabitants of the State of Indiana asking that the sale of cigarettes be prohibited, which were referred to the Committee on Public Health.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 170, the same being a bill for an act to amend sections 48 and 255 of an act concerning taxation, etc., introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 177, the same being a bill for an act for the protection of highways, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 214, the same being a bill for an act providing for changing the time of electing certain township officers, etc., introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 148, the same being a bill for an act in relation to the duties of Township Trustees, etc., introduced by Senator Duncan, has had the same under consideration and begs leave to report back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Hawkins, Chairman of the Committee on Legislative Apportionment, made the following report:

MR. PRESIDENT:

Your Committee on Legislative Apportionment, to which was referred Senate Bill No. 242, introduced by Senator New, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HAWKINS,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 271, the same being a bill for an act concerning trespassing on wet and overflowed land, introduced by Senator Wood, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 216, the same being a bill for an act concerning proceedings in civil cases, introduced by Senator LaFollette, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 134, the same being a bill for an act authorizing Prosecuting Attorneys to administer oaths, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 258, the same being a bill for an act legalizing the acts of notaries public whose commissions have expired, etc., introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 161, the same being a bill for an act concerning night ferries, introduced by Senator Self, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 49, the same being a bill for an act to provide for the transaction of business in cases of vacancy of the office of Judge, etc., introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 77, the same being a bill for an act authorizing the appointment of shorthand reporters, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 229, the same being a bill for an act to abolish days of grace, introduced by Senator Ellison, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 185, introduced by Senator Newby, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.



The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 141, the same being a bill for an act to repeal section 14 of an act concerning promissory notes, introduced by Senator Shiveley, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY, Chairman,  
H. Q. HOUGHTON,  
CHAS. P. DRUMMOND,  
W. H. WATSON,  
LAFOLLETTE.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 141, the same being a bill for an act to repeal section 14 of an act concerning promissory notes, introduced by Senator Shiveley, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHEA,  
WOOD,  
EARLY,  
SHIVELEY.

The majority report was concurred in.

Senator LaFollette asked that Senator Watson be excused.

Which request was granted.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report :

MR. PRESIDENT :

Your Committee on Claims and Expenditures, to which was referred Senate Resolution No. 26, introduced by Senator Collett, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said claim be allowed.

HUGG,  
Chairman.

Which report was unanimously concurred in.

Senator Hugg presented a memorial signed by divers and sundry citizens of the State of Indiana, asking that the General Assembly of the State of Indiana do pass a law prohibiting the manufacture and sale of cigarettes.

Which was referred to the Committee on Public Health.

Senator Shiveley, Chairman of the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred House Bill No. 22, introduced by Mr. Shideler, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman.

Which report was concurred in.

Senator New presented numerous penitions signed by divers and sundry citizens of the city of Indianapolis protesting against the passage of a bill "now pending before the legislature by which Sunday base ball playing will be permitted in Indianapolis".

Senate Bill No. 78 was called up for third reading.

The following communication was received from the House.

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Act No. 306, and the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 221 and 228, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Senate Bill No. 78 was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Rogers, Self, Shea, Shiveley, Stroup, Sweeney. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senate bill No. 76 was called up for third reading.

Read a third time and put upon its passage.

The question, being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hogate, Holler, Horner, Hugg, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rogers, Schneck, Self, Shiveley, Stroup. Total, 34.

Those voting in the negative were:

Senators Johnston of Dearborn, Sweeney. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

Senator McCord offered the following amendment:

A bill for an act to repeal section twenty-two (22) of an act of the General Assembly of the State of Indiana entitled an act for the incorporation of insurance companies, defining the powers, and prescribing their duties, approved June 17, 1852,

the same being section 3729 of the Revised Statutes, 1881, and declaring an emergency.

Which amendment was adopted, and the title of the bill as amended was ordered to stand as the title of the act.

Senator Mull called up Senate Bill No. 111 for third reading. The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Phares called up Senate Bill No. 140 for third reading.

Senator Shea was called to the chair to preside at 3 P. M.

Senator Schneck made the following motion relating to Senate Bill No. 140 :

MR. PRESIDENT :

I move said Senate bill be referred back to its author with instructions to strike out sections 5 and 10 thereof.

SCHNECK.

Which motion was lost.

Senate Bill No. 140 was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Early, Ellison, Gill, Goar, Holler, Hugg, LaFollette, McCord, New, Phares. Total, 11.

Those voting in the negative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Gilbert, Goodwine, Gostlin, Hogate, Horner, Humphreys, Kerns, Leich, Mull, Newby, Nusbaum, O'Brien, O'Connor, Rogers, Schneck, Self, Shea, Shiveley, Sweeny. Total, 26.

So the bill failed to pass.

Senators Hogate, Bobilya, Duncan, Gostlin, LaFollette, Phares, Drummond, Goodwine, Stroup and Bethell presented memorials signed by divers and sundry citizens asking that legislation be passed to prohibit the manufacture and sale of cigarettes.

Referred to Committee on Public Health.

Senator Goar, chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 249, the same being a bill for an act prohibiting the manufacture and sale of cigarettes and cigarette wrappers, and fixing penalties for the violation of the same, introduced by Senator McCord, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GOAR,  
Chairman.

Which report was concurred in.

Senator Newby made the following motion:

MR. PRESIDENT:

I move to amend Senate Rule No. 60, so as to read as follows:

Hereafter, when the introduction of bills is in order, the list of Senators shall be called alphabetically, and each Senator,

when his name is called, shall be permitted to introduce but two bills each time his name is so called, and the name of no Senator shall be called the second time until the entire list has been called, and on the call of bills on the second and third reading, the names of Senators shall be called alphabetically, and each Senator, when his name is called, shall be permitted to call up but one bill, and the name of no Senator shall be called a second time until the entire list has been called.

NEWBY.

Which motion was read and referred to the Committee on Rules.

Senator Gostlin introduced Senate Bill No. 298, entitled :

A bill to provide for the general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and adding a proviso concerning discretionary powers of Town Boards in the appointment of school trustee, and to repeal all laws inconsistent therewith, and declaring an emergency.

Read first time and referred to Committee on Education.

Lieutenant-Governor Haggard resumed the chair at 3:30 P. M.

Senator Phares called up Senate Bill No. 87, for third reading.

Bill was read a third time and put upon its passage :

The question being, Shall the bill pass :

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hogate, Holler, Horner, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rogers, Schneck, Shea, Shiveley, Stroup, Sweeney. Total, 36.

Those voting in the negative were :

Senators Hugg, Self. Total, 2.

So the bill passed.

Senators Humphreys and Goar offered petitions signed by divers and sundry citizens of the State of Indiana praying that the General Assembly of the State of Indiana pass such legislation as will prohibit the manufacture and sale of cigarettes.

Which were referred to the Committee on Public Health.

Senator Schneck called up Substitute Senate Bill No. 67 for third reading.

The bill was read a third time and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Drummond, Duncan, Early, Ellison, Gilbert, Goar, Goodwine, Gostlin, Hogate, Holler, Horner, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, Newby, O'Brien, Phares, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Total, 32.

Those voting in the negative were:

Senators Campbell, Gill, Nusbaum, O'Connor. Total, 4.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 49 and 189, and House Concurrent Resolution No. 14, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

House Concurrent Resolution No. 14:

WHEREAS, In the Senate of the United States, on the 23d day of February, 1897, Senate Bill No. 2741, the same being a bill to reclassify railway postal clerks and prescribe their salaries, was considered as in Committee of the Whole, having

been reported without amendment, ordered engrossed, read the third time and passed; and,

**WHEREAS,** The passage of this bill will remedy the existing evils now so patent in the United States Postal Service by properly classifying and assigning to certain departments each employe, recognizing meritorious service and makes it possible for the diligent and more competent clerk to advance, thereby giving to the general public better service; therefore, be it

*Resolved, by the House of Representatives of the General Assembly of Indiana, the Senate concurring,* That the Representatives in Congress of the State of Indiana, be, and they are hereby, earnestly requested to use their best efforts in securing an early day for the consideration of Senate Bill No. 2741, and to use all honorable means to secure its final passage.

*Be it further resolved,* That a copy of these resolutions be forwarded by the Clerk of the House and the Secretary of the Senate to each of the Representatives in Congress from the State of Indiana.

SPoonER,  
Marion.

Which was referred to the Committee on Federal Relations.

Senator Self called up Senate Bill No. 159 for third reading.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Conner, Phares, Rogers, Schneck, Self, Shea, Shiveley, Stroup, Sweeney. Total, 38.

None voting in the negative.

So the bill passed.



The question being, Shall the title of the bill stand as the title to the act?

It was so ordered.

On motion of Senator Nusbaum the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## THURSDAY MORNING.

JANUARY 28, 1897.

The Senate convened at 10 o'clock A. M. with Lieutenant-Governor Haggard in the chair.

Prayer was offered by Rev. Carstensen of St. Paul's Episcopal Church of Indianapolis.

The Journal was ordered read.

After reading a portion of the Journal, on motion of Senator Kerns, the further reading of the Journal was dispensed with.

Senator Alexander, Chairman of the committee appointed to invite the Rev. Samuel Small to offer prayer at the opening of the Senate, reported that the committee had been unable to find the reverend gentleman.

Senator Nusbaum moved that the committee be extended to secure ministers to open Senate by prayer.

Motion carried.

Lieutenant-Governor W. S. Haggard, Chairman of the Committee on Rules, made the following report, by Senator Ball:

MR. PRESIDENT:

Your Committee on Rules, to which was referred the motion to amend the rules of the Senate made by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said motion do prevail.

W. S. HAGGARD,  
Chairman.  
WALTER L. BALL.

Which report was concurred in.

Senator Bozeman made the following motion:

MR. PRESIDENT:

I move to amend the title of Senate Bill No. 37 to read as follows:

A bill for an act to prevent the spread of contagious diseases among swine, defining the duties of railroad companies, stock yard associations, the managers of fair grounds and individuals in relation thereto, defining certain misdemeanors for making this act effective, fixing certain penalties for the violation thereof, and declaring an emergency.

BOZEMAN.

Which motion was carried, and the title of the bill as amended was ordered to stand as the title of the act.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report:

INDIANAPOLIS, January 28, 1897.

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bill No. 48, introduced by Senator Holler, and has compared the same with the Engrossed Bill and finds that said bill has been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Johnson of Madison called up Senate Bill No. 55.

Senator Johnson moved that House Bill No. 22 be substituted for Senate Bill No. 55.

Motion carried.

Senator Shiveley moved that the constitutional rule be suspended. That House Bill No. 22 be read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

A point of order was raised by Senator Duncan.

Senator Shiveley withdrew his motion.

Senator Hubbell moved to reconsider the vote upon which House Bill No. 22 was substituted for Senate Bill No. 55.

Which motion prevailed.

The motion to substitute was lost.

Senator Shiveley moved that the constitutional rule requiring bills to be read on three several days, be suspended. That House Bill No. 22 be read a second time by title, considered engrossed, be read a third time by sections, and placed upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Rogers, Schneck, Shiveley, White and Wood. Total, 38.

Those voting in the negative were :

Senators Drummond, Humphreys, Shea, Stroup and Sweeney. Total, 5.

So the constitutional rule was suspended.

The bill was read a second time by title, was considered engrossed, was read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Duncan, Early, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, O'Brien, Phares, Rinear, Rogers, Schneck, Shiveley, White and Wood. Total, 35.

Those voting in the negative were:

Senators Gill, Humphreys, Nusbaum, O'Connor, Shea, Stroup and Sweeney. Total, 7.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills, Nos. 133, 188, 190 and 400, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Act No. 62, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 160, introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the

same back to the Senate, with the recommendation that said bill do pass.

HUBBELL,  
Chairman.

Which report was concurred in.

The report of the Committee on Elections, being a special order for 10:30 o'clock A. M., was called up, the hour for the same having arrived.

Senator Shea moved that the motion making the report of the Committee on Elections a special order for 10:30 be reconsidered.

Senator Shiveley moved to lay the motion on the table.

Motion carried.

Senators Hubbell and Johnston of Dearborn, also Senators Watson and Shea were paired on vote on report of Election Committee.

Senator Ellison moved that the minority be allowed fifteen minutes to close the debate after the majority had concluded their debate.

Motion lost.

Senator LaFollette suggested that the minority occupy their full hour for debate and that they have an additional fifteen minutes after the majority had closed, which was granted by consent.

Senator McCord was called to the chair at 12:15 P. M.

Lieutenant Governor Haggard resumed the chair at 12:20 o'clock.

The question being, Shall the minority report be substituted for the majority?

The ayes and nays being demanded, the roll was called.

Those voting in the affirmative were:

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Nusbaum, O'Connor, Rinear, Stroup, Sweeney. Total, 13.

Those voting in the negative were :

Senators Ball, Bethell, Bozeman, Collett, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hugg, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, White, Wood. Total, 30.

So the minority report was not substituted for the majority report.

The question recurring on the adoption of the majority report.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Butler, Bozeman, Collett, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hugg, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, White, Wood. Total, 30.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Nusbaum, O'Connor, Rinear, Stroup, Sweeney. Total, 13.

So the majority report was adopted.

Senator Newby offered Senate Resolution No. 27 :

*Resolved*, That Uriah Culbert was duly and lawfully elected to the office of State Senator of and for the county of Laporte, in the State of Indiana, at a general election held on the third day of November, 1896, and that he is entitled to be sworn in and take a seat as a member of this Senate, for the term of four years.

L. P. NEWBY.

The ayes and noes being demanded, the roll being called.

The question being upon the adoption of the resolution.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate,

Holler, Houghton, Hugg, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, White, Wood. Total, 30.

Those voting in the negative were:

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Nusbaum, O'Connor, Rinear, Stroup, Sweeney. Total, 13.

So the resolution was adopted.

Senator Gostlin moved that a committee of three be appointed by the President to escort Senator elect Culbert to the President's desk.

Motion carried.

The President appointed Senators Gostlin, Newby and Ball, who accordingly escorted the Senator-elect to the rail, when the oath was administered by the President of the Senate, and the Senator took his seat in the Senate.

On motion of Senator Shiveley, the Senate adjourned.

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## THURSDAY AFTERNOON.

JANUARY 28, 1897.

The Senate reconvened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

Senator O'Brien, Chairman of the Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, made the following report:

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State of Indiana, to which was referred Senate Bill No. 256, the same being a bill for an act to provide for a statute of Oliver P. Morton for the National Statuary Hall in the Capitol at Washington, D. C., appropriating money therefor, authorizing the Governor to appoint a commission to carry out the provisions hereof and declaring an

emergency, introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator Self introduced Senate Bill No. 299, entitled:

A bill for an act to amend section one of an act entitled an act concerning the offices of County Assessors, regulating the appointment of persons who may act as deputies, fixing the pay, limiting the time of service, repealing all laws in conflict therewith, and declaring an emergency, which act became a law without the Governor's approval on March 9, 1895.

Bill read and referred to the Committee on County and Township Business.

Senator Humphreys introduced Senate Bill No. 300, entitled:

A bill for an act defining public highways established by uses, and providing for the recording thereof.

Bill read the first time and referred to the Committee on Roads.

Senator Hogate introduced Senate Bill No. 301, entitled:

A bill for an act authorizing and empowering County Surveyors to perpetuate section corners as located by Government survey, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Collett introduced Senate Bill No. 302, entitled:

A bill for an act to authorize Boards of Trustees, Boards of Managers, and public authorities, having the custody and control of the grounds and lands belonging to the State of Indiana, occupied by the penal or benevolent institutions, to permit the taking of gravel, sand and earth therefrom, for the purpose of constructing, repairing, grading, or graveling public highways, and declaring an emergency.

Read the first time and referred to the Committee on Roads.



Senator Horner, by request, introduced Senate Bill No. 303, entitled :

A bill for an act to amend sections 5 and 7 of an act entitled an act to regulate the weighing and screening of coal mined in this State under contract for payment by the ton or other quantities, the same to be weighed before being screened, in force June 8, 1891, and being section 5480f and section 5480h of Horner's Revised Statutes.

Read first time and referred to Committee on Mines, Mining and Manufactures.

Senator Gill presented a petition signed by divers and sundry inhabitants of the State of Indiana praying that no legislation be enacted to legalize the playing of baseball on Sunday.

The petition was referred to the Committee on the Rights and Privileges of the Inhabitants of the State of Indiana.

Senator Wood, chairman of the Committee on Fees and Salaries, offered the following report :

MR. PRESIDENT :

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 45, the same being a bill for an act to amend section 122 of an act entitled an act fixing compensation of certain county officers, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

W. R. Wood,  
Chairman.

Which report was concurred in.

Senators O'Connor, Hubbell, Nusbaum, Collett, Gochenour, Wood and Newby presented petitions from different sections of the State, signed by divers and numerous inhabitants thereof, praying that anti-cigarette legislation be enacted.

Which petitions were all referred to the Committee on Public Health.

Senator Kinear presented a petition signed by divers and sundry citizens of Huntington County, and also one signed by numerous inhabitants of Wells County praying that the cigarette evil be made the subject of legislation by this General Assembly.

Which petitions were referred to the Committee on Public Health.

Senator Wood introduced Senate Bill No. 304, entitled :

A bill for an act to amend section 591 of the Revised Statutes of 1881, being an act providing for the exception of recovering of costs in actions in Circuit or Superior Courts.

Read first time and referred to the Committee on Judiciary.

Senator Shiveley, by request, introduced Senate Bill No. 305, entitled :

A bill for an act authorizing Superintendents and Wardens of the benevolent and correctional institutions to hold autopsies.

Read first time and referred to the Committee on Benevolent Institutions.

Senator Newby, by request, introduced Senate Bill No. 306, entitled :

A bill for an act to amend section 40 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881, the same being section 1941 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Judiciary.

Senator Goar, Chairman of the Committee on Public Health, made the following report :

MR. PRESIDENT :

Your Committee on Public Health, to which was referred Senate Bill No. 82, introduced by Mr. Nusbaum, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows :

Section 8. It shall be presumed that a drug is within the meaning of this act when it appears that it was sold under or by a name not recognized in the United States Pharmacopea and it differs from the standard of strength, quality or purity laid down therein or whenever the character or quality of any such drug is printed, written, or stamped on the wrapper enclosing the same or on the label affixed thereon or thereto, and the actual quality, character, strength or purity of such drug is different therefrom and of less value as a drug, and that when so amended the bill do pass.

CHARLES S. GOAR,  
Chairman.

Which report was concurred in.

Senator Shea called up Senate Bill No. 18, for third reading.

Senator O'Brien moved that the constitutional rule requiring that bills be read on three several days, be suspended, on House Bill No. 32, a substitute for Senate Bill No. 18, that the bill be read a second time by title, a third time by sections and placed upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goche-nour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphrey, Johnston of Madison, Kerns, LaFollette, Leich, McCord, Mull, Newby, O'Brien, O'Connor, Phares, Rinear, Shiveley, Stroup, Sweeney, White, Wood. Total, 39.

None voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 32 was then read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Earley, Gilbert, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Rinear, Schneck, Shea, Shiveley, Stroup and White. Total, 85.

Those voting in the negative were :

Senators Gill, Goar, Gochenour, Goodwine, Kerns, Nusbaum, O'Connor and Sweeney. Total, 8.

So the bill passed.

The question being, Shall the title of this bill stand as the title of the act ?

It was so ordered.

Senator Shiveley called up Senate Bill No. 84 for third reading.

The following communication was received from the Governor :

INDIANAPOLIS, IND., January 28, 1897.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate Bill No. 221, an act fixing the time of holding court in the Third Judicial District.

Also :

Senate Bill No. 228, an act fixing the time of holding court in the Twenty-second Judicial Circuit :

Also :

Senate Bill No. 62, an act prescribing the terms of office of Judges of the Appellate Court, etc.

All of which have been filed with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

To the President of the Senate.

Read in the Senate at 8 o'clock P. M.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 15, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 6, together with the engrossed House amendments attached to same, and the same is herewith returned for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 15 :

A bill for an act to provide a committee to visit penal, benevolent and educational institutions, for the purpose of recommending appropriations to the General Assembly.

Read first time and referred to the Committee on Benevolent Institutions.

Senator McCord moved to postpone the further consideration of Senate Bill No. 84 at this time, and make it a special order for Tuesday, at 3 o'clock.

Which motion was lost.

Senator Horner moved to make Senate Bill No. 84 a special order for Friday of next week, February 5.

Senator Phares moved to amend the motion of Senator Horner by making the consideration of Senate Bill No. 84 a special order for 2 o'clock Monday.

Which motion to amend was lost.

The question recurring on the motion of Senator Horner.

The motion was lost.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Act No. 48, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Senate Bill No. 84 was then read a third time and put upon its passage.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Connor, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 45.

Senator Nusbaum voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Wood called up Senate Bill No. 116 for third reading.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Connor, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 44.

Those voting in the negative were :

Senator Kerns. Total, 1.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Ellison moved that the Senate concur in the amendments of the House to Senate Bill No. 6.

Which motion prevailed.

Senator White offered Senate Resolution No. 27 :

WHEREAS, On March 5, 1895, the Assistant Secretary was ordered to draw a warrant in favor of the Randall Hotel for \$22.50 on account of Committee on Benevolent Institutions; and,

WHEREAS, Said warrant was not drawn, as appears by an examination of the books of the Auditor of State just made by Assistant Secretary Egnew; now, therefore, be it

*Resolved*, That the Assistant Secretary be and is hereby authorized to draw his warrant on the Auditor of State for \$22.50 in favor of Dick Townsend, proprietor of said Randall Hotel.

WHITE.

Which resolution was unanimously adopted.

Senator Hogate moved that the vote by which Senate Bill No. 10 failed to pass be reconsidered. The result of the *viva voce* vote being in doubt, a division was called for.

The motion prevailed by a vote of 31 in the affirmative and 10 in the negative.

Senator Houghton then moved that Senate Bill No. 10 be referred to a committee of one—its author—for amendment.

Motion carried.

Senator Gochenour introduced Senate Bill No. 307, entitled:

A bill for an act to legalize the incorporation of the town of Roann, in Wabash County, in the State of Indiana, and to legalize the election and qualification of each and every officer, and each and every official act of the several boards of trustees of said town, and of each and every officer thereof, and to legalize and make valid all acts, by-laws, ordinances, resolutions, rules and regulations adopted by said boards of trustees, and declaring an emergency.

Read first time.

Senator Gochenour moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Sbea, Shiveley, Stroup, Sweeney, White, Wood. Total, 44.

None voting in the negative.

So the constitutional rule was suspended. The bill was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Culbert, Duncan, Early, Ellison, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, White, Wood. Total, 40.



None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Duncan requested that leave of absence be granted to the members of the Committee on Education for January 29 and 30.

Which was granted.

Senator Horner introduced Senate Bill No. 308, entitled :

A bill for an act to provide for the examination of mine bosses, fire bosses and hoisting engineers at coal mines, for issuing certificates of competency of service, prohibiting the employment of persons in either of such capacities without such certificates, and providing penalties for the violation of the provisions of this act.

Read first time and referred to the Committee on Mines and Manufactures.

Senator Schneck made the following motion :

MR. PRESIDENT :

I move you that the Committee on Education be requested to bring in their report on Senate Bill No. 23.

SCHNECK.

Which motion was carried.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 177, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 177, entitled :

A bill for an act repealing sections 217, 218, 219 and 220 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, the same being sections 6491, 6492, 6493 and 6494 of the Acts of 1881, approved March 6, 1891, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Goar moved that the Senate do now adjourn.

The Chair being in doubt as to the result of the *viva voce* vote a division was ordered. The motion prevailed and the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## FRIDAY MORNING.

JANUARY 29, 1897.

The Senate convened at 10 o'clock A. M. with Lieutenant-Governor Haggard in the Chair.

Prayer was offered by the Rev. Dr. T. I. Coultas, of Robert's Park M. E. Church, Indianapolis.

The Journal was ordered read.

After reading a portion of the Journal, the further reading of the Journal was dispensed with on motion of Senator Alexander.

The roll was ordered called for the reports of committees on bills.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 102, introduced by Senator Hogate, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be printed. Said bill being a bill for an act providing for the registration of votes.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 211, the same being a bill for an act concerning the election of Township Trustees, introduced by Senator Holler, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be referred to the Committee on County and Township Business.

NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 235, introduced by Senator Mull, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 199, introduced by Senator Newby, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Said bill being a bill for an act concerning warehouse receipts.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Shiveley moved that the report on Bill No. 29, signed by Shiveley and Ellison, be adopted.

Which motion was carried.

Senator Ball moved that Senate Bill No. 29 be made a special order for 10 o'clock Tuesday.

Which motion prevailed.

Senator Self, Chairman of the Committee on Public Buildings and Library, made the following report:

MR. PRESIDENT:

Your Committee on Public Buildings and Library, to which was referred Senate Bill No. 60, introduced by Senator McCord, being a bill to establish a library system in connection with public schools, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be printed and laid upon the desks of Senators.

GEORGE W. SELF,  
Chairman.

Which report was concurred in.

The Committee on Public Buildings and Library made the following reports :

MR. PRESIDENT :

A majority of your Committee on Public Buildings and Library, to which was referred Senate Concurrent Resolution No. 5, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said resolution be indefinitely postponed.

GEORGE W. SELF,  
Chairman.

MR. PRESIDENT :

A minority of your committee on Public Buildings and Library, to which was referred Senate Concurrent Resolution No. 5, introduced by Mr. Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following words be added to said resolution :

“ And the State may take possession of said real estate at any time, upon a notice of thirty days being given by the Auditor of State to the Mayor of city, or said notice may be served on the Board of Park Commissioners of said city, and when so amended that said Concurrent Resolution do pass.

HOGATE.

The question being, Shall the minority report be substituted for the majority ?

The minority report was not substituted for the majority report.

The question recurring upon the adoption of the majority report.

The majority report was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 63, entitled a bill for an act to amend section two (2) of an act approved April 13, 1885, en-

titled an act to amend sections 1, 6, 19, 20 and 34 of an act entitled an act concerning highways and supervisors thereof, approved March 2, 1888, and declaring an emergency.

And also House Bill 103, entitled :

A bill for an act for the relief of Henderson Dunkle of Carroll County, Indiana to authorize and direct the Governor to issue to him a patent for certain real estate and relinquishing the claims of the State of Indiana, to said real estate and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

House Bill No. 68 was referred to Committee on County and Township Business.

And House Bill No. 103 was referred to the Committee on Swamps and Lands.

Senator Holler, Chairman of the Committee on Swamp Lands, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands, to which was referred Senate Bill No. 192, the same being a bill for an act concerning drainage and repairs of ditches, etc., introduced by Senator Gilbert, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER.  
Chairman.

The report was held for action as a special order on February 8, 1897, at 10 A. M.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred Senate Bill No. 264, introduced by Senator Hugg, has

had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGG,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred Senate Bill No. 171, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGG,  
Chairman.

Which report was concurred in.

Senator White, Chairman of the Committee on Military Affairs, made the following report:

MR. PRESIDENT:

Your Committee on Military Affairs, to which was referred House Bill No. 133, the same being a bill for an act to reappropriate the eight thousand, four hundred and twenty-one dollars to complete the work of the Indiana Chickamauga Park Commission, introduced by Mr. Stetler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

J. T. WHITE,  
Chairman.

Which report was concurred in.

Senator White, Chairman of the Committee on Military Affairs, made the following report:

MR. PRESIDENT:

Your Committee on Military Affairs, to which was referred Senate Bill No. 105, the same being a bill for an act providing for the erection of a monument over the graves of the pioneers

who were massacred at Pigeon Roost, and providing for an appropriation for the same, introduced by Mr. Shea, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

WHITE,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 65, introduced by Mr. Nussbaum, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the following bill be substituted for Senate Bill No. 65, and that when so substituted said bill do pass.

GILBERT,  
Chairman.

Substitute Senate Bill No. 65:

A bill for an act defining the regular terms of Boards of Commissioners, regulating certain duties of Boards of Commissioners and of County Auditors, providing the penalties for the violation thereof and authorizing suits to be brought for the recovery of allowances in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That in all counties in this State containing a population of more than fifty thousand (50,000) inhabitants, determined by the census of 1890, the Boards of Commissioners of such counties shall meet in regular session the first Monday of each month, and in all other counties the first Mondays of March, June, September and December of each year.

SEC. 2. The said Boards of Commissioners of the several counties in this State shall at the first of each regular session audit the books of the County Treasurer and County Auditor in their respective counties and compare the allowances made by said Board at the preceding session with the stubs of the warrants drawn by the Auditor in payment of such allowances



and shall also examine all warrants redeemed by the County Treasurer and turned over to the County Auditor and for which he claims credit, with the corresponding stubs and see that such warrants are properly cancelled so they can not again be put in circulation.

SEC. 3. It shall be unlawful for any Board of Commissioners of any county in this State or for any member thereof to make any allowance or to allow any claim against such county, or order the issue of any county order or warrant for the payment of any sum of money except at a regular session of said Board, and it shall be unlawful for any County Auditor to draw or to issue to any person any warrant or county order for the payment of any claim against such county except the same has been ordered and allowed by the Board of Commissioners of the county while in regular session or by a court of competent jurisdiction.

SEC. 4. No claims shall be allowed by the Board of Commissioners of any county in this State, unless such claim, duly itemized and verified by the claimant or some one in his behalf, shall have filed in the Auditor's office of the proper county, and by him placed on the claim docket at least five (5) days before the first day of the regular session of such Board.

SEC. 5. Any County Auditor, or any member of the Board of County Commissioners, violating any of the provisions of this act shall, upon conviction thereof, be fined in any sum not less than fifty (50) dollars for each offense, and any such Auditor shall be liable on his official bond in double the amount of such warrant, so drawn, which may be recovered by any taxpayer of the county, on giving security for costs, for the use and benefit of such county, and the Court trying the same shall allow such taxpayer a reasonable compensation, including reasonable attorney fees, for the trouble and expense incurred in prosecuting such suit to be named in the order and payable only out of the money recovered.

SEC. 6. Any citizen and taxpayer of any county in this State, at any time within two (2) years after the allowance of any claim, after demand made on the Board of Commissioners of the proper county and refused by them, may, in his own name, on giving bond for costs, prosecute and maintain for the use and benefit of such county the proper suit for the recovery

of any illegal, unwarranted or unauthorized allowance made by such Board, and the Court trying the same shall make such person so bringing such suit, such reasonable allowance, to be named in the order, as will reimburse him for the trouble had and expense incurred in prosecuting such suit, including reasonable attorneys' fees, to be paid only out of such money that may be recovered.

SEC. 7. Nothing in this act shall be construed as repealing sections 5768 and 5770 of the Revised Statutes concerning voluntary allowances.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 265, introduced by Mr. Humphrey, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by inserting in section 1, line 5, after the word "bridge" the words "or any public work," and by substituting the following for section 2:

Section 2. Any member of any Board of Commissioners who shall act as superintendent in the construction of any bridge or other public work which shall have been contracted to be built or constructed by the board of which such person is a member shall serve without compensation, and it shall be unlawful for any Board of Commissioners to make any allowance to any member of said board for such services, and when so amended said bill do pass.

GILBERT,  
Chairman

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 268, the same being a bill for an act concerning the duties of Township Trustees and matters connected therewith, introduced by Mr. Self, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows: Insert in section 1, line 11, after the word "oaths," "and said report shall be spread of record in the Commissioner's record of said county," and when so amended said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 215, the same being a bill for an act regulating the purchase of school supplies by Township Trustees, introduced by Senator Humphreys, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 158, introduced by Senator Self, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

GILBERT,  
Chairman.

The report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 4, introduced by Senator Collett, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended by adding the following section: "Section 6. All contracts made in violation of the terms of this act shall be void." Also amend section 6 by making it "section 7," and section 7 by making it "section 8." Also, amend section 2, lines 19 and 20, by striking out the words "one thousand dollars" (\$1,000.00) and substituting therein the words "five hundred dollars" (\$500.00), and that when so amended the bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 149, introduced by Mr. Duncan, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

GILBERT,  
Chairman.

Which report was concurred in.

Senator McCord, Chairman of the Committee on Mines and Manufactures, made the following report:

MR. PRESIDENT:

Your Committee on Mines and Manufactures, to which was referred Senate Bill No. 154, the same being a bill for an act to provide means for safety of persons employed in coal mines,

etc., introduced by Mr. Horner, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

McCord,  
Chairman.

The report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 236, introduced by Senator Mull, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

CHAS. E. SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 212, introduced by Senator Hubbell, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

CHAS. E. SHIVELEY,  
Chairman.

Which report was concurred in.

The Committee on Organization of Courts made the following reports:

MR. PRESIDENT:

A majority of your Committee on Organization of Courts, to which was referred Senate Bill No. 224, introduced by Senator White, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHAS. E. SHIVELEY,  
Chairman.

**MR. PRESIDENT :**

A minority of your Committee on Organization of Courts, to which was referred Senate Bill No. 224, introduced by Senator White, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

**JOSEPH H. SHEA.**

The question being, Shall the minority report be substituted for the majority?

The result of the *viva voce* vote being in doubt, a division was called for, by which the minority report was substituted by a vote of 25 in the affirmative to 12 in the negative.

The roll was called for House bills on second reading.

House Bill No. 96 was read the second time in the Senate by title.

The roll was called for the introduction of bills.

Lieutenant-Governor Haggard called Senator Newby to the chair to preside at 11:30.

Senator Gostlin introduced Senate Bill No. 309, entitled :

A bill for an act amending sections 216, 221, 224, 208 and 243 of an act approved April 7, 1881, entitled an act concerning proceedings in civil cases, said sections being sections 948, 948, 951, 954 and 971 of Burns' Revised Statutes of 1894.

Read a first time and referred to Committee on Judiciary.

Senator Gostlin introduced Senate Bill No. 310, entitled :

A bill for an act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair and otherwise improve and construct harbors, canals, water-ways or water courses, and for that purpose to condemn the lands of persons through or adjoining which such harbors, canals, water-ways or water-courses may run, and to assess the damages and benefits against said city, against any highway or railroad affected thereby, and benefits and damages for or against the owners of lands affected thereby, and providing for the regulation and control of any

such harbors, canals, water-ways or water-courses by said city, and providing for the jurisdiction of said city beyond its limits in matters connected with such harbor, canals, water-ways or water-courses, and providing penalties for the violation of certain sections thereof.

Read first time and referred to Committee on Judiciary.

Senator Hugg introduced Senate Bill No. 311, entitled:

A bill for an act concerning the sessions of the County Commissioners in counties having not less than one hundred and twenty-five thousand (125,000) inhabitants, and declaring an emergency.

Read first time and referred to Committee on the City of Indianapolis.

Senator Hugg introduced Senate Bill No. 312, entitled:

A bill for an act to protect the manufacturers, bottlers and vendors of mineral waters, both natural and artificial, ale, cider, beer, ginger pop, ginger ale and other beverages, to preserve their ownership and title of and to the bottles and siphons used by them, giving the remedy of a search warrant, prescribing rules of evidence, and defining misdemeanors in relation to the unlawful possession, sale and use of such bottles and siphons, and prescribing a punishment therefor, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator McCord, by request, introduced Senate Bill No. 313, entitled:

A bill for an act for the incorporation to do the business of life or accident insurance on the assessment plan, defining their powers and prescribing their duties and the duties of the Auditor of State and the Governor of State, the Attorney-General of State in connection therewith, providing penalties for the violation of this act, repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to Committee on Insurance.

Senator New introduced Senate Bill No. 314, entitled :

A bill for an act to appropriate the sum of \$704 to pay Andrew M. Sweeney, for labor performed by him for the State of Indiana, for copying and transcribing order books Nos. 1, 6, 13, of the Supreme Court of Indiana, which were decayed by lapse of time, and which work was done and performed under the provisions of an act entitled an act providing for indexing the papers and copying certain records in the Clerk's office of the Supreme Court, and making an appropriation therefor, and declaring an emergency, approved March 3, 1893, and declaring an emergency.

Read first time and referred to Committee on Claims and Expenditures.

Senator Newby, by request, introduced Senate Bill No. 315, entitled :

A bill for an act providing for an appeal from the Board of Trustees of Towns and Common Councils of cities on any finding by such Boards or Councils on the question of the necessity of making any improvements of streets or levies in any town or city in the State of Indiana.

Read first time and referred to the Committee on Judiciary.

President of the Senate Haggard resumed the chair at 11:40.

Senator Nusbaum introduced Senate Bill No. 316, entitled :

A bill for an act regulating and describing the manner under which medicines or combinations of drugs may be sold in the State of Indiana and providing a penalty for the violation thereof and declaring an emergency.

Read first time and referred to Committee on Public Health.

Senator Nusbaum, by request, introduced Senate Bill No. 317, entitled :

A bill for an act to create the office of public defender, provide for his election, define his duties and fix his compensation in the several counties of the State of Indiana.

Read the first time and referred to the Committee on Judiciary.



Senator Shea introduced Senate Bill No. 318, entitled:

A bill for an act providing that all public highways now established shall be properly indexed by County Auditors and providing that the highways hereafter established shall be named by the petitioners, and providing that County Auditors shall be paid a reasonable sum for naming and indexing highways already established.

Read first time and referred to Committee on County and Township Business.

Senator Gill introduced Senate Bill No. 319, entitled:

A bill for an act relating to the common schools, its property, funds, officers, supplies, taxation for, collection and disbursements thereof, abolishing certain offices, designating new officers, prescribing the manner and time of their election, defining duties of school officers, prescribing their compensation and other matters pertaining to the above mentioned subjects and repealing all laws in conflict herewith.

Read first time and referred to Committee on Education.

Senator Leich introduced Senate Bill No. 320, entitled:

A bill for an act fixing the salary of the Quartermaster-General, repealing all laws so far as the same are in conflict herewith, and declaring an emergency.

Read first time and referred to the Committee on Fees and Salaries.

The following communication was received from the Secretary of State:

*To the Senate, State of Indiana:*

SIRS—In accordance with the provisions of the Constitution of the State of Indiana, section 140, Burns' Revision, I have the honor to lay before the Sixtieth General Assembly Senate Enrolled Act No. 37, introduced by Senator Wishard, passed by the Fifty-ninth General Assembly, 1895, together with the Governor's objections thereto, the same being an act in relation to appeals to the Supreme and Appellate Courts and the matters relating thereto.

Also :

Senate Enrolled Act No. 90, introduced by Senator Watson, together with the Governor's objections thereto, the same being an act to amend an act providing for the appointment of Justices of the Peace, approved March 10, 1875, the same being section 5564 of the Revised Statutes of 1881, and section 7580 of Burns' Edition of 1894, repealing all laws in conflict therewith and declaring an emergency.

Also :

Senate Enrolled Act No. 307, introduced by Senator Cranor, together with the Governor's objections thereto, the same being an act to render unnecessary the filing of the entire estimate or assessment, or a copy thereof, with the complaint in action brought by cities not having a population of more than 85,000 inhabitants, as shown by the last preceding United States census, or towns incorporated under the laws of this State, or contractors with such cities or towns, or assignees of such contractors, to enforce and foreclose street, alley or sewer assessments and liens, and matters properly connected therewith, and declaring an emergency.

Also :

Senate Enrolled Act No. 419, introduced by Senator Duncan, together with the Governor's objections thereto, the same being an act to amend section 3 of an act entitled an act concerning grand and petit juries, approved April 15, 1881, and being section 1387 of Revised Statutes of 1881.

Also :

Senate Enrolled Act No. 473, introduced by Senator Wishard, together with the Governor's objections thereto, the same being an act to authorize the sale of a portion of the lands now used by the Board of Trustees of the Indiana Institution for the Education of the Deaf and Dumb, and for the disposition of the proceeds arising therefrom.

Also :

Senate Enrolled Act No. 475, introduced by Senator McLean, together with the Governor's objections thereto, the same being an act for the reorganization and government of cities having more than 80,000 and less than 85,000 population according to

the last preceding United States Census, and matters connected therewith, and declaring an emergency.

Yours truly,

WILLIAM D. OWEN,  
Secretary of State.

The following are the veto messages of Governor Matthews to the Secretary of State, pertaining to such bills:

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND., March 16, 1895. }

*To the Secretary of State:*

SIR—With Senate Bill No. 473 I file with you the following objections: This bill authorizes the sale of certain parts of ground belonging to the Institution for the Education of the Deaf and Dumb.

Section 1 provides a board constituted of the Governor, Auditor and Treasurer of State, and authorizes this board, or a majority thereof, to sell and convey to the C., H. & I. Railroad Company a strip of the ground one hundred feet in width, and running the entire length of the tract of land now held by the State and adjoining the right of way of said railroad.

Section 2 provides for the appointment of appraisers, to make appraisement under oath, and also provides that the land shall not be sold for less than the appraised value.

The objections are that this bill would compel a sale without competition, because the purchaser is named in the bill and the sale could be made to no other than the railroad company designated. No discretion or judgment is allowed to the board as to the justice of the appraised value. The appraisement once made, sworn to and filed with the Auditor of State, there is no doubt that the sale could be avoided, even though the board might believe the property assessed too low. There is also reason to doubt that should the C., H. & I. Railroad Company make a tender of the amount so appraised, whether they could not enter suit against the Board of Trustees for the Institution for the Education of the Deaf and Dumb and compel a deed of conveyance. The Board of State Officers could not, in the exercise of their judgment, refuse to carry out the provisions of the law without placing themselves in the attitude of violating law which they would not care to assume.

This land to be sold, containing about three acres, is a strip off the entire north side of a plat of ground containing twenty acres, more or less, lying between the C., H. & I. Railroad Company's right of way and Michigan avenue. The sale of this strip of land, I believe, would affect the value of the remainder should the State desire in the future to sell the tract entire, owing to its irregular shape and narrow width on the west end.

It is, besides, to have the value of this land appraised at a time when values of such property is in a depressed condition, and when the individual owner able to hold property of this class would decline to force it upon the market. This bill would establish a dangerous precedent that I do not believe should be encouraged or countenanced.

Respectfully,

CLAUDE MATTHEWS,  
Governor.

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND., March 16, 1895. }

*To the Secretary of State:*

SIR—Senate Bill No. 37 is an “Act in relation to appeals to the Supreme and Appellate Courts and the matters relating thereto.”

Not recognizing the necessity of regulating the details of practice in the Supreme Court, and believing that the provision authorizing the binding of parties without a notice to them is of doubtful propriety and validity, I herewith place with you this bill without my approval.

CLAUDE MATTHEWS,  
Governor.

MARCH 16, 1895.

*To the Secretary of State:*

SIR—Senate Bill No. 90 amends an act for the appointment of Justices of the Peace, in that no Justice of the Peace could hold office after the first election after his appointment, as is constitutionally provided, until his successor should have qualified. It sometimes occurs that a Justice, after being elected, refuses to qualify.

The further provision of this bill, that "all acts done after the passage of this act by any Justice of the Peace, appointed prior to the general election of 1894, shall be void," might be serious, affect certain rights of citizens, lead to confusion, and dangerous in its results.

Therefore, I file this bill in your office without my approval.

CLAUDE MATTHEWS,  
Governor.

INDIANAPOLIS, IND., March 16, 1895.

*To the Secretary of State:*

SIR—I herewith hand you Senate Bill No. 475, to be filed in your office and to be reported to the next General Assembly, with my objections to the same.

Section 6 provides for a special election to elect Police Commissioners, entailing a great and unnecessary expense, which, I am assured by a large number of the representative citizens of Terre Haute, to whom this law applies, is not desired.

It also conflicts with a law sustained by the late General Assembly.

The bill also provides for the unequal assessment of property not directly benefited by improvements. Property, even, not especially benefited and not abutting on the street improved, may be assessed to an equal amount not exceeding one-third the value of the realty, excluding buildings. Power is given to assess the property outside the city limits, for such improvement, without limit, as the city may order. Great injustice could be done to farm lands used exclusively for agricultural purposes, without the city being obligated to extend benefits of the city, police and otherwise to the occupants of such lands. Unplatted property, outside of city limits, may be assessed for three hundred feet in the same manner and rate as property within the city limits.

These objections, together with the large number of protests against this bill that have come to me from all classes of the citizens, especially the many representative taxpaying citizens of the city of Terre Haute, have influenced me in withholding my approval to this bill.

Respectfully,  
CLAUDE MATTHEWS,  
Governor.

MARCH 16, 1895.

*To the Secretary of State:*

SIR—Senate Bill No. 307, entitled an act to render unnecessary the filing of the entire estimate or assessment, or a copy thereof, with the complaint in action brought by cities of not exceeding a certain population and incorporated towns, etc., would make so radical a change in civil procedure, and destroy a uniformity of practice of long standing that should not be disturbed, that I am constrained to withhold my approval from the same.

Respectfully,

CLAUDE MATTHEWS,  
Governor.

MARCH 16, 1895.

*To the Secretary of State:*

SIR—Senate Bill No. 419 was presented to me for consideration the last day of the session. This is a bill to amend an act concerning grand and petit juries, and prescribes a fixed hour and day for the clerk to select a grand jury, which, under conditions, could lead to complications in litigation. Believing that existing statutes sufficiently protect the rights of parties litigant, and that the statutes now in force prescribe properly the time and method of selecting juries, I file the same in your office without my approval.

Respectfully,

CLAUDE MATTHEWS,  
Governor.

Which bills, together with the messages, were referred to the Committee on Judiciary.

The roll was then called for bills on second reading.

Senator Collett called up Senate Bill No. 146 for second reading.

Senator Newby offered the following amendment to Senate Bill No. 146:

MR. PRESIDENT:

I move to amend Senate Bill No. 146 by striking out the word "six" out of line 6 of section 1 and inserting the word "four" in lieu thereof, and by striking out the word "one" in line 7 of said section and insert the word "two" in lieu thereof; and all of lines 8 and 9 be stricken out after the word "yeas" at the beginning of line 8 of said section.

NEWBY.

Which amendments were adopted.

And the bill was ordered engrossed with amendments thereto.

Senate Bills Nos. 178, 194, 118, 165 and 120 were called up for second reading.

Read a second time and ordered engrossed.

Engrossed House Bill No. 96 was called up and read a second time.

On motion of Senator O'Brien the Senate adjourned.

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## FRIDAY AFTERNOON.

JANUARY 29, 1897.

The Senate convened at 2 o'clock P. M. with Lieutenant-Governor Haggard in the chair.

Senator Mull introduced Senate Bill No. 321, entitled:

A bill for an act to amend section 119 of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities

of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the time when the same shall take effect as to certain offices therein named and repealing all conflicting laws.

Read first time and referred to Committee on Fees and Salaries.

The roll was called for bills on second reading.

Senate Bill No. 249 was called up, read a second time and ordered engrossed.

Senator Hogate introduced Senate Bill No. 322, entitled :

A bill for an act to authorize the organization and incorporation of mutual fire insurance companies and defining their powers, rights and duties, and other matters connected therewith, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Insurance.

Senator New called up Senate Bill No. 242, for second reading :

Which was read a second time and ordered engrossed :

Senator O'Brien called up Substitute Senate Bill No. 19, for second reading.

Which was read a second time and ordered engrossed :

Senator Shiveley called up Senate Bill No. 201 for second reading.

Which was read a second time.

Senator Ellison offered the following amendment to Senate Bill No. 201 :

MR. PRESIDENT :

I move to amend Senate Bill No. 201, by adding to section 1 the words: "*Provided*, That whenever any member of such Board shall be required to give a bond to secure the safe-keeping of funds belonging to the State, that such member may



give as security thereof, the bond of an approved surety company, and the costs thereof shall be deemed an expense of his office, and the cost thereof shall be paid as the personal expense of such member.

ELLISON.

Which amendment was adopted, and, with Senate Bill No. 201, was ordered engrossed.

Senator Nusbaum moved that when the Senate adjourn it adjourn till Monday morning at 10 o'clock.

Which motion prevailed.

A leave of absence was asked by Senator Alexander for Senator Culbert. Which was granted.

Senators Alexander, Campbell, Watson, Johnson of Madison, O'Connor, Gilbert, O'Brien, McCord, White, Gill and Mull each presented petitions from various citizens of the State of Indiana, praying that laws be passed prohibiting the manufacture and sale of cigarettes in the State of Indiana.

Senator Nusbaum introduced Senate Bill No. 323, entitled:

A bill for an act making it unlawful for any Judge in this State to accept or use any railroad pass or other free conveyance over any railroad and providing penalties therefor.

Read first time and referred to Committee on Judiciary.

Senator New offered a remonstrance against the base ball bill now pending for settlement in the Legislature.

Which was referred to Committee on Rights and Privileges.

A leave of absence was granted Senator Alexander until Tuesday morning.

Senate Bill No. 59 was made a special order for Thursday afternoon at 2 o'clock P. M., at the request of Senator Newby.

On motion of Senator Ellison, the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## MONDAY MORNING.

FEBRUARY 1, 1897.

The Senate convened at 10 o'clock with Lieutenant-Governor Haggard in the chair.

The Journal was ordered read.

After reading a portion of the Journal, on motion of Senator McCord the further reading of the same was dispensed with.

Lieutenant-Governor Haggard ruled that subdivision 6 of rule 64 be the rule governing the number of times a Senator shall speak on any question being debated by the Senate.

The roll was called for the reports of standing committees.

The Committee on Organization of Courts made the following reports:

MR. PRESIDENT:

A majority of your Committee on Organization of Courts, to which was referred Senate Bill No. 122, introduced by Senator Duncan, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

CHAS. E. SHIVELEY,  
Chairman.

MR. PRESIDENT:

A minority of your Committee on the Organization of Courts, to which was referred Senate Bill No. 122, introduced by Senator Duncan, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

JOSEPH H. SHEA.

The question being, Shall the minority report of the committee be substituted for the majority report?

Senator Shea moved that said reports be made a special order for 10:30 Thursday morning.

Which motion was carried:

Senator Goar, Chairman of the Committee on Public Health, made the following report :

MR. PRESIDENT :

Your Committee on Public Health, to which was referred Senate Bill No. 152, the same being a bill for an act to legalize the sale of cigarettes, and providing penalties for violations of the same, introduced by Senator Gochenour, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

CHAS. S. GOAR,  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report :

MR. PRESIDENT :

Your Committee on Public Health, to which was referred Senate Bill No. 196, the same being a bill for an act to establish a State Board of Embalmers, to provide a system of examination, registration and licensing of embalmers, to provide for the better protection of life and health, and to prevent the spread of infectious and contagious diseases in this State and to impose penalties for the violation of its provisions, and declaring an emergency, introduced by Mr. Hugg, by request, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

CHAS. S. GOAR,  
Chairman.

Which report was concurred in.

Senator McCord, Chairman of the Committee on Mines, Mining and Manufacturing, made the following report :

MR. PRESIDENT :

Your Committee on Mines, Mining and Manufacturing, to which was referred Senate Bill No. 195, the same being a bill for an act to amend section 17 of an act approved June 17, 1891, providing for the ventilation of mines, etc., introduced

by Mr. Horner, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the substitute bill filed herewith do pass.

Substitute Bill for Senate Bill No. 195:

A bill for an act to amend sections 14, 17 and 24 of an act regulating the weighing of coal, providing for the safety of employes, protecting persons and property injured, providing for the proper ventilation of mines, prohibiting boys and females from working in mines, conflicting acts repealed, and providing penalties for violation, in force June 3, 1891, the same being section 5480r of the Revised Statutes of 1896.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That section fourteen (14) be and is hereby amended to read as follows: That whenever any accident whatsoever shall occur in any coal mine in this State which shall delay the ordinary and usual working of such mine for twenty-four consecutive hours, or shall result in such injuries to any person as to cause death or require the attendance of a physician or surgeon, it shall be the duty of the person in charge of such mine to notify the Inspector of Mines of such accident without delay, and it shall be the duty of said Inspector to investigate and ascertain the cause of such accident as soon as his official duties shall permit: *Provided,* That if loss of life shall occur by reason of any such accident, said Inspector shall immediately, with the Coroner of the county in which such accident may have occurred, go to the scene of the accident. They shall investigate and ascertain the cause of such loss of life and have power to compel the attendance of witnesses and administer oaths or affirmations to them and the cost of such investigation shall be paid by the county in which the accident occurred, as costs of Coroner's inquest are now paid.

SEC. 2. That section seventeen of said act, the same being section 5480r of the Revised Statutes of 1896, be amended to read as follows:

Section 17. That the currents of air in mines shall be split so as to give separate currents to at least every fifty (50) persons at work, and the Mine Inspector shall have discretion to order a separate current for a smaller number of men if special

conditions render it necessary. Whenever the Mine Inspector shall find men working without sufficient air, or under any unsafe condition, the Mine Inspector shall first give the owner, operator, agent or lessee, a notice giving the facts and a reasonable time to rectify the same, and upon his or their failure to do so, the Mine Inspector may order the men out of said mine or portions of said mine, and at once order said coal mine or part thereof stopped until such mine or part of mine be put in the proper condition. And the Mine Inspector shall immediately bring suit against such owner, operator, agent or lessee, for failure to comply with the provisions of this section, who, upon conviction, shall be fined in any sum not exceeding one hundred dollars (\$100) for each and every day or part of day that said mine was operated.

SEC. 3. That section twenty-four be amended to read as follows: That for the violation of the provisions of any section of this act, where no special penalty is provided herein, the person or persons violating the same, or any part thereof, shall be held and deemed guilty of a misdemeanor, and shall, upon conviction, be fined in any sum not less than five dollars (\$5), nor to exceed two hundred dollars (\$200), in the discretion of the Court trying the cause.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 91, introduced by Senator Gostlin, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 40, introduced by Senator Ellison, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 278, the same being a bill for an act relating to taxation in cities and towns, introduced by Senator Gill, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 206, introduced by Senator Ellison, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 280, the same being a bill for an act to legalize acts of Boards of Trustees of town of Cynthiana, Indiana, introduced by Senator Bozeman, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 244, the same being a bill for an act concerning cemetery associations, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration thereof be indefinitely postponed.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 225, the same being a bill for an act relating to sewer, gas and water lines, introduced by Senator Self, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by adding the following proviso at end of section 1: "*Provided*, That no person shall be compelled to make connection on such proposed improved street if they shall have

such connection with any other sewer, gas or water line," and when so amended that the bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator LaFollette, Chairman of the Committee on Building and Loan Associations, made the following report:

MR. PRESIDENT:

Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 205, the same being a bill for an act concerning Building and Loan Associations, and prescribing the territory within which they may do business, introduced by Senator Ellison, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

J. J. M. LAFOLLETTE,  
Chairman.

Senator Ellison moved to reject the report of the Committee on Senate Bill No. 205.

Senator Wood moved to make Senate Bill No. 205 a special order for Thursday morning at 11 o'clock.

Senator Shiveley moved to amend Senator Wood's motion, by postponing the consideration of Senate Bill No. 205, and report thereon until the Building and Loan Committee could report.

Which motion prevailed.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 260, the same being a bill for an act concerning drains, introduced by Mr. Gochenour, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.



Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report :

MR. PRESIDENT :

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 203, introduced by Mr. Campbell, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

W. R. WOOD,  
Chairman.

Which report was concurred in.

Senator Newby offered the following Senate Resolution No. 28 :

WHEREAS, The Supreme Court of the State of Indiana held that the apportionment act of 1895 was unconstitutional for the reason, among other things, that said act created double representative districts, and that an election of two or more Senators or Representatives from one district composed of two or more counties would be null and void ; and,

WHEREAS, The apportionment act of 1885 created a double Senatorial district composed of the counties of Clinton, Montgomery and Boone and gave to said three counties two representatives in the State Senate ; and,

WHEREAS, Neither of said counties of Clinton, Montgomery nor Boone had a population equal to the ratio for one Senator, yet each of them being joined in one district gave them a voice in the election of two Senators ; and,

WHEREAS, The election of 1896 was held under the act of 1885, and Wm. B. Gill and James A. Campbell were elected Senators from said double district composed of said counties ; and,

WHEREAS, Under the Constitution of the State, as construed by our Supreme Court, the election of said Senators of and from said districts is null and void ; and,

WHEREAS, Said Wm. B. Gill and James A. Campbell were not lawfully elected members of this Senate as provided in the Constitution, there is a vacancy in the office of State Senator of

said counties of Clinton, Montgomery and Boone. Be it, therefore,

*Resolved*, That the seats claimed herein by the said Gill and Campbell be declared vacant, and that their pretended election as members of this Senate be declared illegal and void, and that their names be stricken from the roll of Senators.

NEWBY.

Referred to the Committee on Elections by motion of Senator LaFollette.

Senator Bozeman introduced Senate Bill No. 324, entitled :

A bill for an act authorizing Boards of County Commissioners to lay out and construct free gravel, macadamized or turnpike road, or improve by straightening, grading, widening, draining, graveling, or macadamizing any of the public roads or highways of the counties of the State and authorizing the issue of bonds of the county to raise money required for that purpose, and providing for the payment of such bonds by taxing lands adjacent to such roads or highways.

Read first time and referred to the Committee on Roads.

Senator Gilbert introduced Senate Bill No. 325, entitled :

A bill for an act to legalize the records and action of the Board of Trustees of the town of Waterloo, Dekalb County, Indiana, in relation to the construction of the town hall in said town, and the equipment and furnishing the same to legalize all acts of said Board of Trustees in relation to said furnishing and equipment, and declaring an emergency.

The bill was read a first time.

Senator Gilbert moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, LaFollette, McCord, Mull, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Sweeney, White, Wood. Total, 36.

None voting in the negative.

So the constitutional rule was suspended.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, McCord, Mull, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the Governor :

JANUARY 29, 1897.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate Bill No. 48, an act defining the Thirty-second Judicial Circuit and creating and defining the Sixteenth Judicial Circuit, providing for the election of Judge, Prosecuting Attorneys, etc. The same has been duly deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

Read in the Senate at 10:55 o'clock A. M., Monday, February 1, 1897.

Senator Holler introduced Senate Bill No. 326, entitled :

A bill for an act to repeal an act entitled an act concerning statistics, providing for the performance of certain duties by the Chief of the Bureau of Statistics, County Auditors, Township Assessors, and all other persons authorized by the Chief of the Bureau of Statistics, providing for the enforcement of such duties and declaring an emergency, approved March 11, 1895, and declaring an emergency.

Read first time and referred to the Committee on Agriculture.

Senator Houghton introduced Senate Bill No. 327, entitled :

A bill for an act to legalize a certain survey, made by order of the Board of Trustees of the incorporated town of Shoals and subsequent surveys based thereon, providing the same shall not affect pending legislation, and declaring an emergency.

The bill was read a first time.

Senator Houghton moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title, be considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, McCord, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Self, Shea, Shiveley, Stroup, White, Wood. Total, 86.

Those voting in the negative were :

Senator Campbell. Total, 1.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Gear, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Rinear, Self, Shea, Shiveley, Stroup, White, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Hubbell, by request, introduced Senate Bill No. 828, entitled :

An act providing for the taxation of witness fees in cases of misdemeanors tried before any Justice of the Peace, city Judge or Mayor, where the defendant pleads guilty, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hugg introduced Senate Bill No. 829, entitled :

A bill for an act to amend section 8 of an act entitled an act concerning proceedings in civil cases.

Read first time and referred to the Committee on Judiciary.

Senator Johnson of Madison introduced, by request, Senate Bill No. 830, entitled :

A bill for an act to amend section eleven (11) of an act entitled a bill for an act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair and providing a penalty for the violation thereof, approved February 28, 1889, and declaring an emergency.

Read first time and referred to Committee on Swamp Lands and Drains.

Senator O'Connor introduced Senate Bill No. 331, entitled :

A bill for an act providing for medical attention to poor persons not inmates of County Asylums or City Hospitals, and matters relating thereto, repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to the Committee on Public Health.

Senator Wood introduced Senate Bill No. 332, entitled :

An act to repeal sections 22 to 113 inclusive and sections 124, 125, 118, 127, 132, 133, 134 and 135, and to amend sections 114, 115, 116, 117, 119, 120, 121, 122, 126, 127, 131 and 133 of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor, and prescribing penalties therefor, providing the time when the same shall take effect as to certain offices therein named, and repealing all conflicting laws (approved March 11, 1895), and adding supplemental sections thereto, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Wood introduced, by request, Senate Bill No. 333, entitled :

A bill for an act to amend sections 21, 115, 117, 119, 122, 124, 126, 127, 134 and 136 of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed by the officers, and the salaries of officers therein named, providing for certain employes in certain public offices, and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor, and prescribing penalties therefor, providing the time when

the same shall take effect as to certain officers therein named, and repealing conflicting laws (approved March 11, 1895), and adding supplemental sections thereto, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Hawkins introduced Senate Bill No. 334, entitled :

A bill for an act relative to bonds and other obligations, with surety or sureties, and the acceptance as surety thereon of companies qualified to act as such, and the release of such surety, and the safe depositing of assets for which such surety may be liable, and to the charging by fiduciaries and litigants of the expense of procuring sureties, and repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Rinear presented a petition signed by divers and numerous inhabitants of Huntington County, praying that he use his influence to defeat the passage of House Bill No. 226, being an act to regulate the practice of medicine, surgery, obstetrics, etc.

Which petition was referred to the Committee on Public Health.

Senator Johnson of Madison offered Senate Concurrent Resolution No. 9 :

WHEREAS, The State of Indiana is the owner of a tract of land situated on East Washington Street, in the city of Indianapolis, lying north of the Institution for the Education of the Deaf and Dumb, consisting of about fifteen acres, the said ground being bounded on the north by Ohio street, on the east by the first alley lying west of Johnson avenue, on the south by Washington street and on the west by Randolph street, and

WHEREAS, The said ground is surrounded by the City of Indianapolis, and there are no drives or passage-ways through the same, to the great inconvenience of the citizens of said city, and

WHEREAS, The said ground is of no practical use to the State of Indiana at this time, or likely to be in the future; therefore, be it

*Resolved by the Senate, the House of Representatives concurring,* That there be and is hereby appointed a Commission, consisting of the Governor, Secretary of State and the Attorney-General, whose duty it shall be to offer for sale and dispose of at either public or private sale, as they, the said Commission, may deem expedient, at some time before the next regular session of the General Assembly, for the best price obtainable, the aforesaid tract of land situated on East Washington street, in the city of Indianapolis, lying north of the Institution for the Education of the Deaf and Dumb, consisting of about fifteen acres, the said ground being bounded on the north by Ohio street, on the east by the first alley lying west of Johnson avenue, on the south by Washington street, on the west by Randolph street, and that when said commission has so disposed of the said ground, they shall turn the proceeds of such disposal into the general fund of the State.

JOHNSON OF MADISON.

Which concurrent resolution was read and referred to the Committee on Public Buildings and Grounds.

Senator New, Chairman of the Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 311, introduced by Mr. Hugg, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.

Which report was concurred in.

Senator New, Chairman of the Committee on the City of Indianapolis, made the following report:

MR. PRESIDENT:

The majority of your Committee on the City of Indianapolis, to which was referred Senate Bill No. 61, introduced by Senator New, has had the same under consideration, and begs



leave to report the following substitute for the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.

A bill for an act to amend section 12 of an act entitled an act to provide for the incorporation of street railroad companies, approved June 4, 1861:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That section 12 of an act entitled an act to provide for the incorporation of street railroad companies, approved June 4, 1861, be amended to read as follows:

Section 12. Nothing in this act contained shall be construed as to take away from common councils of incorporated cities the exclusive powers now exercised over the streets, highways, alleys and bridges within the corporate limits of such cities; and all street railroad companies which may be organized under the provisions of this act shall first obtain the consent of such common council to the location, survey, construction and operation of any street railroad, through or across the public streets, alleys and other public places of any city before the construction of the same shall be commenced.

Any street railroad company having heretofore, or which shall hereafter enter upon, use and occupy any of the streets, alleys, highways or other public places of any city in this State now having a population of more than 100,000 inhabitants, as shown by the last United States census, under any ordinance, ordinances, contracts or agreements therein and thereby fixing or purporting to fix, or limit, the period of time for the use and occupancy for street railway purposes, or any or all of the streets or other public places in such city; or where such a time arrangement has been made, and the same has been lawfully extended, by ordinance or otherwise, for a further definite named period of time upon a good and sufficient consideration; then, and in all such cases upon the final expiration of such time, the rights to use such tracks in such streets and other public places, laid in such city and by such railway company, its successors or assigns, or any other company claiming under such ordinances, arrangements, or agreements, shall immediately terminate and cease forever; and no

street railroad company shall have the right to operate such tracks upon the streets of any such city, except under and in pursuance of an ordinance or contract, specifically stating the period of occupancy.

When any contract or arrangement, heretofore or hereafter made between any such city and any street railway company, its successor or assignee company, or other grantee or assignee, has expired or shall hereafter expire, then on or after such expiration, such company may remove its tracks and appurtenances from such streets, alleys and other public places, doing no more damage to the streets and other public places than is necessary, and when the same are removed such company shall restore the streets, as nearly as may be, to the condition in which the same were prior to such removal; which removal shall be made within a time to be fixed by the Mayor of such city, and the work shall be done under the supervision of the Street Commissioner or other officer having the charge and supervision of the streets therein, and upon failure to remove the same the city may cause the same to be removed at the expense of the owner:

*Provided, however,* That after the expiration of such time, or, if the same is not expired, then at any time within six months before such expiration, such company, or any other company having a contract with such city to operate street cars with and in said city, by electricity, may file in the Circuit Court of the county in which such city is located, a complaint or petition for an appropriation and assessment of damages, describing the plant, property, power houses, cars and other appurtenances and appliances connected with and used as a part of such railway system to be appropriated, to which proceeding all persons having an interest in or lien upon such property, shall be made parties, and the practice and proceedings in, and the value of such plant and property, shall be ascertained by and in the same manner as is now by law provided for the appropriation for railway purposes under the general laws of this State.

And when the value is so ascertained, if a prior contract is expired, and if not expired, then upon such expiration such new company shall, within the time to be fixed by such Court thereafter, pay such sum into the office of the Clerk of the said Court, on payment of which said company shall be seized and

become the owner, free and unincumbered, of all the title to and of the property so appropriated, and shall proceed immediately to take possession of and operate such railway system under its contract if, and when, such term of such prior company is expired; and upon failure to do so, the Common Council of such city shall have the power by ordinance to revoke and cancel such contract.

In case the railway company owning the property to be appropriated has theretofore acquired rights to lay and maintain tracks outside of the corporate limits of such city, secured from the Board of Commissioners of such county, which tracks, at the time of such appraisements, by reason of the extension of the corporate limits, are within such city, the same, at the election of the owner, may be embraced in such proceedings and appraisal.

Which majority report was ordered to be held until minority report is filed, and then be printed, together with the bill and minority report.

The roll was called for bills on second reading.

Senator Bozeman called up Senate Bill No. 280 for second reading.

The bill was read a second time by title.

Senator Bozeman moved that the constitutional rule requiring that bills be read on three several days, be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called.

Those voting in the affirmative were:

Senators Bethell, Bozeman, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kern, LaFollette, Mull, Nusbaum, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 35.

Those voting in the negative were :

Senator Campbell. Total, 1.

So the constitutional rule was suspended.

The bill was then considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Mull, Newby, Nusbaum, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Sweeney, White, Wood. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

Senator Houghton offered the following amendment to the title :

**MR. PRESIDENT :**

I move that the following be the title to Senate Bill No. 380 :

A bill for an act to legalize the incorporation of the town of Cynthiana, and the acts of the several Boards of Trustees and Common Council thereof, and declaring an emergency.

HOUGHTON.

Which amendment was adopted, and the title as amended ordered to stand as the title of the act.

Senator Houghton called up Senate Bill No. 191.

Which was read a second time by title and ordered engrossed.

Senator Duncan called up Senate Bill No. 148.

Which was read a second time and ordered engrossed.

Senator Early called up Senate Bill No. 89 for second reading.

Read a second time.

Senator Early moved that the constitutional rule requiring that bills shall be read on three several days be suspended, the bill considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Bethell, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 89.

None voting in the negative, the constitutional rule was suspended.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Kerns, LaFollette, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 87.

Those voting in the negative were:

Senator Gochenour. Total, 1.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gilbert called up Senate Bill No. 170, which was read a second time and ordered engrossed.

Senator Hawkins called up Senate Bill No. 171, which was read a second time and ordered engrossed.

Senator Goar called up Senate Bill No. 107, which was read the second time and ordered engrossed.

Senator Gochenour called up Senate Bill No. 246, which was read the second time and ordered engrossed.

Senator Holler called up Senate Bill No. 26, which was read a second time and ordered engrossed.

Senator Hubbell called up Senate Bill No. 212, which was read a second time and ordered engrossed.

Senator Humphreys called up Senate Bill No. 265, which was read the second time and ordered engrossed.

Senator LaFollette called up Senate Bill No. 216 for second reading.

Senator LaFollette offered the following amendment to Senate Bill No. 216:

MR. PRESIDENT:

I move to amend Senate Bill No. 216 as follows: By striking out of line nine (9), in section one (1), the words "being made," and inserting in lieu thereof the words "filed or so concealed himself that service can not be had upon him."

LAFOLLETTE.

On motion of Senator Riuear the Senate adjourned.

## MONDAY AFTERNOON.

FEBRUARY 1, 1897.

The Senate reconvened at 2 o'clock p. m., with Lieutenant-Governor Haggard in the Chair.

Senator LaFollette's amendment to Senate Bill No. 216 was read and adopted.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that they have examined Enrolled Senate Bill No. 6, with Engrossed House Amendments, concurred in by the Senate, introduced by Senator Ellison, and has compared the same with the engrossed bill, and find that said bill has been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

The consideration of bills on second reading was resumed.

Senator Nusbaum called up Substitute Senate Bill No. 65 for second reading. The consideration of the bill was deferred for a time.

Senate Bill No. 256 was called up for second reading by Senator O'Brien.

The bill was read a second time and ordered engrossed.

Senate Bill No. 331 was called up for second reading.

The bill was recommitted to the Committee on Public Health.

Senator Shea called up Senate Bill No. 105.

The bill was read a second time and ordered engrossed.

Senator Shiveley called up Senate Bill No. 160.

The bill was read a second time and ordered engrossed.

Senator Rinear called up Senate Bill No. 177.

The bill was read a second time and ordered engrossed.

The roll was ordered called for bills on third reading.

Senator Shiveley, having voted in the affirmative, moved that the action of the Senate on Senate Bill No. 107 be reconsidered.

The motion prevailed.

Senator Shiveley moved to make Senate Bill No. 107 a special order for 3 o'clock.

The motion carried.

Senator Collett called up Senate Bill No. 146 for third reading.

The bill was read a third time by sections.

On motion of Senator Early the bill was recommitted to its author for amendment.

Senator Duncan called up Senate Bill No. 120 for third reading.

The bill was read a third time by sections.

The following communication was received from the House:  
MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 105, entitled a bill for an act designating who may solemnize marriages, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 105 was read and referred to the Committee on Judiciary.



Senate Bill No. 120 was put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Bethell, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Hawkins, Hogate, Holler, Houghton, Hugg, Kerns, LaFollette, McCord, Mull, New, Newby, Nusbaum, O'Brien, Shea, Sweeney. Total, 26.

Those voting in the negative were:

Senators Ball, Drummond, Gill, Gostlin, Horner, Humphreys, O'Connor, Phares, Rinear, Self, Shiveley, Stroup, Wood. Total, 13.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senate Bill No. 107 was taken up as a special order for three o'clock.

Senator LaFollette offered Amendment No. 1 to Senate Bill No. 107:

MR. PRESIDENT:

I move to amend section one (1) of Senate Bill No. 107 as follows: To insert the word "knowingly" in line two between the words "two" and "manufacture."

LAFOLLETTE.

Which amendment was adopted.

Senator LaFollette also offered the following amendments:

Amendment No. 2:

MR. PRESIDENT:

I move to amend section four (4) of Senate Bill No. 107 by striking out the words "twenty-five" in line three (3), and inserting the lieu thereof the word "five."

LAFOLLETTE.

Which amendment was adopted.

**Amendment No. 3:****MR. PRESIDENT:**

I move to amend section five (5) of Senate Bill No. 107 as follows:

By inserting in line three (3) immediately following the word "food" the words "for sale."

**LA FOLLETTE.**

Which amendment was adopted.

**Amendment No. 4:****MR. PRESIDENT:**

I move to amend section seven (7) of Senate Bill No. 107 by changing the word "fifty" in line four (4) to the word "five," and by changing the words "five hundred" in line five (5) to "twenty-five."

**LA FOLLETTE.**

Which amendment was adopted.

**Amendment No. 5:****MR. PRESIDENT:**

I move to amend section 8 of Senate Bill No. 107 by inserting in line two (2) immediately following the word "or" the word "knowingly."

**LA FOLLETTE.**

Which amendment was adopted.

**Amendment No. 6:****MR. PRESIDENT:**

I move to amend section nine (9) of Senate Bill No. 107 by striking out the word "twenty" in line six (6).

**LA FOLLETTE.**

Which amendment was adopted.

**Amendment No. 7:****MR. PRESIDENT:**

I move to amend section 14 of Senate Bill No. 107 by inserting in line 1 of said section, immediately preceding the word "sell" the word "knowingly."

**LA FOLLETTE.**

Which amendment was adopted.

Senator Ball offered Amendment No. 8:

MR. PRESIDENT:

I move to strike out the following words of section 5 in line 6, "brought from foreign countries or."

BALL.

Which amendment was adopted.

Senator Shiveley offered Amendment No. 9:

MR. PRESIDENT:

I move to amend Senate Bill No. 107 by striking out all that part of section 19, after the word "therefor."

SHIVELEY.

Which amendment was adopted.

Senator LaFollette offered Amendment No. 10:

MR. PRESIDENT:

I move to amend section 15 of Senate Bill No. 107 by inserting in line one (1) of said section immediately preceding the word "sell" the word "knowingly."

LAFOLLETTE.

Which amendment was adopted.

Senator Hawkins was called to the chair to preside, in the absence of the Lieutenant-Governor, at 3:15.

Senator LaFollette offered Amendment No. 19 to Senate Bill No. 107.

MR. PRESIDENT:

I move to amend section sixteen (16) of Senate Bill No. 107 by inserting in line one (1), immediately preceding the word "sell," the word "knowingly."

LAFOLLETTE.

Which amendment was adopted.

Senator LaFollette offered Amendment No. 12:

MR. PRESIDENT:

I move to amend section 18 of Senate Bill No. 107 by striking out the word "an" in line three (3), and inserting in lieu thereof the word "five" (5).

LAFOLLETTE.

Which amendment was adopted.

The bill, with the amendments thereto, was ordered engrossed.

Senate Bill No. 178 was called up for third reading. The bill was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The following communication was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 307, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Lieutenant-Governor Haggard resumed the chair at 8:35 P. M.

Senator Shiveley was called to the chair to preside at 4:05.

The roll was then called on the passage of Senate Bill No. 178.

Those voting in the affirmative were :

Senators Bethell, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Shiveley, Stroup, Sweeney, Wood. Total, 35.

Those voting in the negative were :

Senators Ball, Holler, Newby, Self, Shea. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Newby moved that Senate Bill No. 29 be made a special order for 10 o'clock Wednesday.

Which motion prevailed.

Senator Gilbert called up Senate Bill No. 124 for third reading.

The bill was read a third time and put upon its passage?

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 38.

Those voting in the negative were:

Senator Bethell. Total, 1.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gill called up Senate Bill No. 249 for third reading.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Bethell, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Newby moved that the Senate adjourn, and on a division (the Chair being in doubt) the motion prevailed and the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EENEW,  
Assistant Secretary of the Senate.

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## TUESDAY MORNING.

FEBRUARY 2, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the Chair.

The Journal was ordered read.

After reading a portion of the Journal, the further reading of the same at this time was dispensed with, on motion of Senator Stroup.

The roll was called for the reports of standing committees.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 298, the same being a bill introduced by Senator Gostlin, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 254, the same being a bill introduced by Senator O'Brien, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 41, the same being a bill introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 23, the same being a bill introduced by Senator Schneck, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 176, the same being a bill introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following bill be substituted in lieu of the original bill, and when so substituted that said bill do pass.

DUNCAN,  
Chairman.

Substitute bill:

A bill for an act authorizing counties, cities, towns and townships to make donations to educational institutions, providing the means of raising the money therefor and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana, That whenever fifty (50) freeholders and taxpayers of any county in this State, or twenty-five freeholders of any city, town or township in this State, in which any State university may be situate, shall petition the Board of Commissioners of such county, in the case of the county or township, or the Common Council, in the case of a city, or the Board of Trustees of a town, in case of a town, to make a donation to such State university in any sum not exceeding \$25,000, as to such county or city; \$10,000 as to said township or town. It shall be lawful for such Board of Commissioners, on behalf of such county or township, or the Common Council, on behalf of such city, or Board of Trustees, on behalf of such town, to make such donation, not exceeding the amount so named in such petition, and to enter in their respective records the proper order, ordinance or resolution therefor, and which shall be a sufficient justification for the proper officer to draw his warrant therefore.*

SEC. 2. Such Board of County Commissioners, Common Council of such city, and Board of Trustees of such town are hereby authorized for and on behalf of their respective corporations, to make all proper agreements with any such State University, with reference to the purpose for which such donations shall be used, and the terms and conditions on which



donated and accepted, and when so made and such donation accepted, shall be binding on such State University accepting the same.

SEC. 3. For the purpose of raising the money with which to make such donation, the Board of Commissioners of such county are hereby authorized to issue the bonds of such county or township, and such Common Council and Board of Trustees of such town, the bonds of such city or town respectively, none of which shall bear a higher rate of interest than six (6) per cent., payable annually, nor run a longer time than six (6) years from their date of issue, and shall not be sold for less than their face value and accrued interest.

SEC. 5. If either county, city, town or township makes such donation, it shall not be lawful for any one or more of such corporations to make a donation under this act.

SEC. 5. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Which report was concurred in.

Senator Mull, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Engrossed House Bill No. 367, the same being a bill for an act appropriating the sum of three hundred and fifty-eight (\$358) dollars to reimburse Claude Matthews for expenses incurred as Governor of Indiana at the dedication of Chickamauga and Chattanooga National Military Park, 1895, introduced by Mr. Smith of Tippecanoe, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

THOMAS K. MULL,  
Chairman.

Which report was concurred in.

Senator Bobilya moved to suspend the constitutional rule requiring bills to be read on three several days, the bill be read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Stroup, Sweeney, Watson, Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, Phares, Rinear, Self, Stroup, Sweeney, Watson, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred House Bill No. 188, introduced by Representative Elliott, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Houghton,  
Chairman.

Which report was adopted.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 106, introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 186, introduced by Senator Self, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 279, introduced by Mr. Bozeman, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the following substitute bill do pass.

L. SCHNECK,  
Chairman.

Substitute Bill:

A bill for an act providing for the construction and maintenance of gravel roads in the State of Indiana and prescribing the duties of County Commissioners, Surveyors and Township Trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That upon petition of twenty-five freeholders of any township in any county in the State of Indiana, the Board of County Commissioners are hereby invested with the authority, and it shall be their duty, to levy taxes of not exceeding fifteen (15) cents on the hundred dollars of the taxable property of such township, said taxes to be collected in April and November, in the same manner as other taxes, and to be used solely for the purpose of grading, graveling, and macadamizing the roads of such township.

SEC. 2. Said taxes, so collected under section one of this act, shall be prorated by the Township Trustee, who shall give bond for the faithful performance of his duty, for double the amount of the money that may come into his hands; and he shall let the contract for the construction of said gravel or macadamized roads to the lowest responsible bidder. Said contract shall be subject to the approval of the Board of County Commissioners. All of said money shall be expended each year in the construction of said roads; and said Township Trustee shall make a report at each regular session of the Board of County Commissioners.

SEC. 3. It shall be the duty of the County Surveyor, as soon as such taxes are collected, to make an estimate of the cost of grading, graveling or macadamizing so much of said roads to

be built as will not exceed the amount of taxes collected each year. The compensation of said County Surveyor shall be three dollars (\$3.00) per day, to be paid by the Township Trustee out of the funds as provided in section 2.

SEC. 4. It shall be left to the discretion of the Board of County Commissioners as to what part of said township said gravel or macadamized roads shall be constructed.

SEC. 5. When said gravel or macadamized roads are constructed they shall be kept in repair in the same manner as other gravel and macadamized roads in the State.

SEC. 6. All laws and parts of laws in conflict herewith are hereby repealed.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 266, the same being a bill for an act for the relief of the poor, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 305, the same being a bill for an act authorizing Superintendents and Wardens to hold autopsies, introduced by Senator Shiveley, by request, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 123, the same being a bill for an act to establish and maintain the Indiana School for Feeble-Minded Youths, introduced by Senator Gilbert, by request, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred House Bill No. 15, begs leave to recommend that section 1 be amended by striking out the words, "*Provided*, That the members of said committee so appointed shall be representatives and members of the two political parties casting the highest number of votes at the election when they were severally chosen," and insert instead thereof the following: "*Provided*, That not more than two members of said committee shall be selected from any one political party," and when so amended that the same do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett moved that the constitutional rule requiring that bills shall be read on three several days be suspended, the bill be read a second time by title, a third time by sections, and placed upon its passage.

The question being, Shall the constitutional rule be suspended.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Self, Shea, Sweeney, Watson, Wood. Total, 42.

So the constitutional rule was suspended.

The bill was read a second time by title, and a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Stroup, Sweeney, Watson and Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 326, the same being a bill for an act entitled an act to repeal an act entitled an act concerning statistics, etc., introduced by Senator Holler, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

WM. F. KERNS.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 285, the same being a bill for an act to prevent the spread of diseases among trees, introduced by Senator Shiveley, by request, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 145, the same being a bill for an act to prevent the spread and growth of noxious weeds, and providing penalties for the violation thereof, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Hugg called up Engrossed House Bill No. 188 and moved that the constitutional rule requiring that bills shall be read on three several days be suspended, the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Mad-



ison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Stroup, Sweeney, Watson, Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a third time and put upon its passage.

The question being upon the passage of the bill.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Stroup, Sweeney, Wood. Total, 43.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 22 and 32, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Act No. 6, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Ellison moved that the special order for to-day at 2 o'clock P. M. be postponed till Thursday at 11 o'clock.

Which motion prevailed.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 267, the same being a bill for an act to provide for the levying of taxes by the Trustees of civil townships and Trustees of incorporated towns, etc., introduced by Senator Rinear, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 211, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

Which report was adopted.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 290, the same being a bill for an act for the propagation and protection of fish, etc., introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that section five (5) be stricken out of said bill and that section 6 be amended to read section 4; section 7

be amended to read section 5 ; section 8 shall be numbered section 6, and when so amended we recommend that the bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 299, the same being a bill for an act to amend section 1 of an act concerning county assessors, etc , introduced by Mr. Self, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 274, the same being a bill for an act to amend section 92, concerning taxation, introduced by Mr. Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

GILBERT,  
Chairman.

Which report was concurred in.

Lieutenant-Governor Haggard appointed Senators Collett and Wood as a committee to serve with a like committee from the House of Representatives in accordance with the provisions of House Concurrent Resolution No. 7.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 24, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows :

That the salary asked for in the first section of the bill for the commandant of the Indiana State Home for Disabled or Destitute Soldiers, Sailors, Marines, Their Wives and Widows be fixed at \$1,200, and that the salary of the Adjutant of said Home be fixed at \$900, and that all of that portion of said section pertaining to the appointment and fixing the salary of a surgeon for said Home be stricken out.

We further recommend that section two of said bill be stricken out, and that the sections of said bill be renumbered.

That when these amendments are made we recommend that said bill do pass.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 190, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 182, introduced by Senator LaFollette, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 126, introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 207, introduced by Senator Goodwine, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY, Chairman,  
ELLISON,  
SHEA,  
LAFOLLETTE,  
WOOD,  
WATSON.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 207, introduced by Senator Goodwine, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

HOUGHTON,  
DRUMMOND,  
EARLY.

The question being, Shall the minority report be substituted for the majority report?

The minority report was not substituted for the majority report.

The majority report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 155, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

O. Z. HUBBELL,  
H. Q. HOUGHTON,  
J. D. EARLY,  
SHIVELEY,  
W. H. WATSON,  
J. J. M. LAFOLLETTE.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 155, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHAS. P. DRUMMOND,  
ELLISON,  
SHEA,  
W. R. WOOD.

The question being, Shall the minority report be substituted for the majority report?

The ayes and noes were demanded.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hogate, Horner, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Stroup, Wood. Total, 32.

Those voting in the negative were:

Senators Culbert, Early, Gostlin, Holler, Houghton, Hubbell, LaFollette, McCord, Newby. Total, 9.

So the minority report was substituted for the majority report. The question then recurring on the adoption of the majority report as substituted. The substitute was adopted.

Senator Hugg then moved that the constitutional rule requiring that bills be read on three several days be suspended, that Senate Bill No. 155 be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Stroup, Sweeney. Total, 33.

Those voting in the negative were:

Senators Culbert, Duncan, Early, Gostlin, Holler, Houghton, LaFollette, McCord, Newby, Watson. Total, 10.

So the constitutional rule was not suspended.

Senator Gochenour introduced Senate Bill No. 385, entitled :

A bill for an act to regulate the purchases of records and stationery by counties, making a penalty for violation of same and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 167, entitled :

A bill for an act prohibiting the manufacture and sale of cigarettes and cigarette wrappers, and fixing penalties for the violation of the same, and to repeal an act entitled an act making it unlawful to give, barter or sell tobacco to certain children, or to others for their use, or to induce said children to use the same, and providing penalties for violation thereof, approved February 9, 1893.

And Engrossed House Bill No. 312, entitled :

A bill for an act to legalize the town of Greenville, Floyd County, Indiana, the election and qualification of its several Boards of Trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, and other matters connected therewith, and declaring an emergency.

And the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Engrossed House Bill No. 167 was read first time and referred to the Committee on Public Health.

Engrossed House Bill No. 312 was read first time and referred to the Committee on Cities and Towns.



Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 301, the same being a bill for an act empowering County Surveyors to perpetuate section corners, etc., introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that section two (2) of said act be amended by striking out the word "three (3)" in line six of said section, and inserting in lieu thereof the words "five (5)."

That section 3 of said act be amended to read as follows :

Section 3. Unless each of the landowners interested in the location of said corner are present at the time said corner is so perpetuated, or shall file with the County Surveyor his written consent to the action of the County Surveyor in so renewing and perpetuating said corner, the County Surveyor shall, within ten days after said renewal and perpetuation, give notice that such renewal and perpetuation has been done to each of the land owners interested. Such appearance of said land owners, or written consent, or proof of such notice, as the case may be, shall be made a part of the record provided for herein in the Surveyor's record.

Any such land owner may appeal to the Circuit Court from the action of the County Surveyor within ninety days after said renewal or perpetuation ; but if no appeal is so taken, said action of the County Surveyor shall be conclusive.

And that when so amended the bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Hogate introduced Senate Bill No. 336, entitled :

A bill for an act to repeal sections 4557 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Education.

Senator O'Brien introduced, by request, Senate Bill No. 337, entitled :

A bill for an act for the better accommodation of the law library of the Supreme Court and declaring an emergency.

Read first time and referred to the Committee on Public Library.

Senator Collett made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 146, introduced by Senator Collett, with instructions, has amended the same in accordance with such instructions and hereby returns said bill for the further action of the Senate.

COLLETT.

Which report was concurred in.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bill No. 307, introduced by Senator Gochenour, and has compared the same with the Engrossed Bill and finds that said bill has been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Shea introduced Senate Bill No. 388, entitled :

A bill for an act to enforce the collection of final judgments obtained in the Supreme, Appellate, Circuit and Superior Courts of the State, for the recovery of money or costs against counties, municipal corporations, cities and towns, declaring the public property and all other property therein liable therefor, and such judgments as lie thereon, and providing for the enforcement and collection of such judgments, by levy and sale upon executions issued thereon, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Hawkins introduced Senate Bill No. 39, entitled :

A bill for an act to amend section fifteen (15) of an act entitled an act to amend sections thirty-eight (38), forty (40), forty-five (45), fifty-six (56), sixty (60), sixty-one (61), seventy-three (73), seventy-seven (77), eighty-two (82), eighty-nine (89), ninety (90), ninety one (91), one hundred (100), one hundred and ten (110), and one hundred and fourteen (114) of an act entitled an act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency, approved March 6, 1891, and adding a supplemental section thereto, and declaring an emergency, which act became a law by lapse of time without the Governor's signature, March 16, 1895, and is published in the acts of the General Assembly of 1895, page 393, and declaring an emergency.

Read first time and referred to the Committee on City of Indianapolis.

Senator Hawkins introduced Senate Bill No. 340, entitled :

A bill for an act to amend section seventy-eight (78) of an act entitled an act concerning the incorporation and government of cities having more than one hundred thousand inhabitants according to the last preceding United States census, and matters connected therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency.

Read first time and referred to Committee on the City of Indianapolis.

Senator Hawkins introduced Senate Bill No. 341, entitled :

A bill for an act to amend sections two (2) and four (4) of an act entitled an act to amend sections four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10) and eleven (11) of an act of the General Assembly of the State of Indiana, entitled an act to amend sections four (4), twelve (12), twenty nine (29), fifty-five (55), fifty-eight (58), seventy-four (74), seventy-five (75), eighty-one (81), eighty five (85), eighty-six (86), eighty-seven (87) and eighty eight (88) of an act of the General Assembly of the State of Indiana, entitled an act concerning the incorporation and government of cities having more than one

hundred thousand population according to the last preceding United States Census, and matters connected therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency (which act became a law by lapse of time without the Governor's signature, February 22, 1893, and is published in the Acts of the General Assembly of 1893, page 56) and declaring an emergency, which amended act became a law by lapse of time without the Governor's signature, March 15, 1895, and is published in the Acts of the General Assembly of 1895, page 384, and declaring an emergency.

Read first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator Culbert introduced Senate Bill No. 342, entitled :

A bill for an act to amend sections 5 and 9 of an act entitled an act to establish a Superior Court for the counties of Lake, Porter and Laporte, defining its authority and jurisdiction, providing for the appointment, election, commission and compensation of the Judge thereof, and for the Clerk and Sheriff, and compensation and places and times of holding said Court, and declaring an emergency, passed over Governor's veto March 9, 1895, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Culbert introduced Senate Bill No. 343, entitled :

A bill for an act prescribing the duties of fire insurance companies and parties insured, in case of loss or damage by fire, and providing for the appointment of appraisers of such loss, and providing a method of ascertaining and adjusting the same, and providing penalties for violations of the provisions of this act.

Read first time and referred to Committee on Insurance.

Senator Culbert introduced Senate Bill No. 344, entitled :

A bill for an act regulating changes of venue in certain cases.

Read first time and referred to Committee on Judiciary.

Senator Rinear called up House Bill No. 171.

Senator Rinear moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill read a second time by title, and a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Shea, Stroup, Sweeney, Watson, Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Shea, Stroup, Sweeney, Watson, Wood. Total, 41.

No one voting in the negative.

So the bill passed.

The question being, Shall the title to the bill stand as the title of the act.

It was so ordered.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 139, the same being a bill for an act constituting Boards of Commissioners, Boards of Turnpike Directors, etc., introduced by Mr. Phares, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

On motion of Senator Humphreys, the Senate adjourned.

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## TUESDAY AFTERNOON.

FEBRUARY 2, 1897.

The Senate reconvened at two o'clock P. M., with Lieutenant-Governor Haggard in the chair.

The roll was ordered called for bills on third reading.

Senator Houghton called up Senate Bill No. 51 for third reading.

The bill was read a third time and put upon its passage.

Senator Newby made the following motion:

MR. PRESIDENT:

I move to recommit Senate Bill No. 51 to its author, with instructions to make the following amendments, to wit:

Strike out the word "eight" in line eight and insert in lieu thereof the word "two," and strike out the word "sixty" in line eight and insert in lieu thereof the word "twelve," and strike out the word "thirty-six" in line ten and insert in lieu

thereof the words two. Also, strike out the words "five consecutive years" in line 23, and insert in lieu thereof the words "one year." Also insert the words "Normal School" in line four, and insert the words "DePauw, Hanover, Earlham, Wabash, University of Indianapolis, Purdue University," after the word University in line three of the printed bill.

NEWBY.

Senator Wood moved that the motion of Senator Newby be laid on the table.

The motion prevailed, and the motion and the bill were laid on the table.

Senator Hubbell called up Senate Bill No. 212.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Phares, Rinear, Schneck, Shea, Watson, Wood. Total, 34.

Those voting in the negative were:

Senators Bobilya, Gill, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Self, Sweeney. Total, 8.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hugg made the following motion:

MR. PRESIDENT:

I move to reconsider the vote by which Senate Bill No. 120 was passed.

HUGG.

Senator Humphreys called up Senate Bill No. 265.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kern, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Shea, Sweeney. Total, 37.

Those voting in the negative were:

Senators Watson, LaFollette. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Humphreys offered the following amendment to the title:

I move to amend the title to Senate Bill No. 265 to read as follows:

A bill for an act to regulate the appointment of Bridge Superintendents by Boards of County Commissioners, and declaring an emergency.

A. HUMPHREYS.

Which amendment was adopted, and the title as amended ordered to stand as the title of the act.

Senator LaFollette called up Senate Bill No. 216.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston



of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Shea, Sweeney, Watson, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hubbell was called to the chair at 3:20:

Senator Collett called up Senate Bill No. 146 for third reading.

Which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gill, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Shea, Sweeney, Watson, Wood. Total, 39.

Those voting in the negative were:

Senator Bethell. Total, 1.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Act No. 307, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Clerk.

Senator Mull called up Senate Bill No. 148.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bozeman, Collett, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Holler, Houghton, Hubbell, Humphreys, Johnson of Madison, McCord, New, Nusbaum, O'Brien, Rinear, Shea, Sweeney. Total, 23.

Those voting in the negative were:

Senators Bethell, Bobilya, Campbell, Culbert, Drummond, Hawkins, Hogate, Horner, Hugg, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, O'Connor, Phares, Schneck, Stroup, Watson, Wood. Total, 20.

So the bill failed to pass for the lack of a constitutional majority.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 325, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Holler, Chairman of the Committee on Prisons, made the following report:

MR. PRESIDENT:

Your Committee on Prisons, to which was referred Senate Bill No. 71, the same being a bill for an act providing for the better government of prisons, etc., introduced by Mr. Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. HOLLER.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Prisons, made the following report :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred Senate Bill No. 286, the same being a bill for an act to provide for the better government, control, management, etc., of prisons, introduced by Senator Watson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 281, the same being a bill for an act concerning drainage, Introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred House Bill No. 103, the same being a bill for an act quieting title to swamp lands and returning funds for same to State, introduced by Mr. Clauser, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Hogate introduced Senate Bill No. 345, entitled :

A bill for an act to amend sections 5 and 9 of an act entitled an act to authorize the organization and incorporation of loan and trust and safe deposit companies, defining their powers, rights and duties, and other matters connected therewith, approved March 4th, 1893.

Read first time and referred to the Committee on Corporations.

On motion of Senator Drummond the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. AGNEW,  
Assistant Secretary.

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### WEDNESDAY MORNING.

FEBRUARY 3, 1897.

The Senate convened at 10 o'clock with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by Rev. Dr. C. E. W. Dobbs, of the Baptist Church of Indianapolis.

The Journal was ordered read, but after reading a portion of it, the further reading of the same was dispensed with, on motion of Senator Collett.

Senator Shiveley offered Senate Resolution No. 29 :

WHEREAS, The case in which the bills, reports and other valuable papers involved in the business of the Senate, in care of the Principal Secretary, are kept, is wholly inadequate to the safe keeping of these documents; and

WHEREAS, The doors of said safe are warped, weak, and might easily be wrenched open without the aid of a key. Therefore be it

*Resolved*, That the President of the Senate and the Principal Secretary be authorized and directed to purchase an iron combination-lock safe, suitable for the purpose, at a cost not to exceed one hundred and twenty-five dollars. And be it further

*Resolved*, That the Assistant Secretary be and is hereby authorized and directed to issue a warrant in payment, in any sum needed for the purchase, not exceeding the amount named above.

SHIVELY.

The question being on the adoption of the resolution, and the result of the *viva voce* vote being in doubt, a division was ordered, and the motion was lost by a vote of 13 in the affirmative to 20 in the negative.

Senator Ball introduced Senate Bill No. 346, entitled :

A bill for an act to prevent extortion, defining usury and what acts shall constitute usury, making void contracts for the payment of money on which usurious interest is contracted for directly or indirectly, and for the recoupment of all money paid as usurious interest, providing a penalty for its violation, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Watson, by request, introduced Senate Bill No. 347, entitled :

A bill for an act appropriating certain sums of money, hereinafter specified, to William H. Drapier, for services as official stenographer of the Senate at the regular and special sessions of the Fifty-fourth (54th) General Assembly of the State of Indiana, and for the preparation, publication and distribution of seventeen hundred and fifty (1,750) copies of the Brevier Legislative Reports of the Debates and Proceedings had in the Senate and House of Representatives at both the Regular and Special Sessions of said Fifty-fourth (54th) General Assembly of the State of Indiana.

Read first time and referred to Committee on Claims.

Senator Holler, by request, introduced Senate Bill No. 348, entitled :

A bill for an act whereby Township Trustees may, by the concurrence of County Commissioners, levy a special road tax for the purpose of liquidating and discharging road indebtedness incurred prior to December 1, 1896.

Read first time and referred to Committee on County and Township Business.

Senator O'Connor introduced Senate bill No. 349, entitled :

A bill for an act authorizing Trustees to hire janitors for the various school districts in their townships, providing for the compensation for the same, repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Shiveley introduced Senate Bill No. 350, entitled :

A bill for an act to amend section 153 of an act as amended and approved February 25, 1875, entitled an act to amend the one hundred and fifty-third section of an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and declaring an emergency.

Read first time and referred to the Committee on Education.

Senator Hogate presented a petition signed by James Gavin, representing the students of the Indiana Law School; J. F. Fryer, representing the students of the Indiana Dental College; Alonzo G. Roberts, representing the students of Butler University, and Edward E. Parker, representing the students of the Indiana Medical School, praying that the Legislature do not pass the bill introduced by Mr. Patterson in the House of Representatives, making the playing of foot ball a misdemeanor.

Which petition was referred to the Committee on Rights and Privileges of the Inhabitants of the State of Indiana.

Senator Hugg introduced Senate Bill No. 351, entitled :

A bill for an act relating to the service of the process of courts upon any foreign insurance corporation in any action against such companies by residents of this State, and matters pertaining thereto, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Newby introduced Senate Bill No. 352, entitled :

A bill for an act to abolish the State Live Stock Sanitary Commission, to provide for the appointment of a Veterinary Surgeon of the Indiana State Board of Agriculture, his duties and compensation, and repealing sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 24 of an act approved March 9, 1889, and all other laws and parts of laws in conflict with the provisions of this act.

Read first time and referred to the Committee on Agriculture.

Senator Newby introduced Senate Bill No. 353, entitled :

A bill for an act to amend section 48 of an act entitled an act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate and contest thereof, approved May 31, 1852.

Read first time and referred to Committee on Judiciary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 424, entitled a bill for an act to legalize the joint session of the Board of Commissioners of Knox County and the Board of Commissioners of Sullivan County, held at the Knox County court house, in the city of Vincennes, Indiana, on the 12th day of December, 1895, to hear and act upon the petition of W. S. Hoks and others for the establishment of a drain in the counties of Knox and Sullivan, known as the Marsh Creek Drainage System, and all subsequent joint meetings of the said Board of Commissioners of Knox County and the said Board of Commissioners of Sullivan

County in said matter; and all acts of the said Board of Commissioners of Sullivan County in such joint sessions in said matter and the acts of all officers and persons connected therewith; the establishment of the said Marsh Creek Drainage System, the awarding of the contract for the construction of the same, the making of assessments and the assessments made by the Viewers and Engineer appointed by the Board of Commissioners of Knox County and the Board of Commissioners here of Sullivan County severally to provide for payment of the construction of the said Marsh Creek Drainage System and all other matters connected therewith; and the same is herewith transmitted for the action of the Senate.

Also :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 15, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Hawkins introduced Senate Bill No. 354, entitled :

A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be misdemeanors and prescribing penalties therefor, and repealing all conflicting laws and declaring an emergency.

Read first time and referred to the Committee on Fees and Salaries.

Senator Hawkins introduced Senate Bill No. 355, entitled :

A bill for an act to authorize contracts of lease between existing railroad companies owning or operating railroads under the laws of this or any other State.

Read first time and referred to the Committee on Railroads.



Senator Hawkins introduced Senate Bill No. 355, entitled :

A bill for an act concerning the liability of any town, city or municipality for damages on account of personal injuries to any person, prescribing things which shall be done by any person contemplating bringing an action against any town, city or municipality in certain cases and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator Hawkins introduced Senate Bill No. 357, entitled :

A bill for an act entitled an act on the subject of and relating to railroad crossings, repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to the Committee on Railroads.

Senator Bozeman introduced Senate Bill No. 358, entitled :

A bill for an act to amend sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 15, 22 and 26 of an act entitled an act concerning drainage under specified conditions and declaring an emergency, approved and in force March 7, 1891, and declaring an emergency.

Read first time and referred to the Committee on Swamp Lands and Drains.

Senator Shiveley introduced the following petition :

*To the Honorable, the Members of the Indiana State Senate :*

The Ministerial Association of Richmond, Indiana, representing seventeen protestant congregations, respectfully represents that two educational bills, Nos. 51 and 59, have been introduced in the Senate, both of which greatly enlarge the jurisdiction and increase the already too extensive powers of the State Board of Education and also most unjustly discriminate against the graduates of the denominational colleges of the State. We earnestly petition that the above named unfair

features be eliminated, or that the bills be defeated by your honorable body:

Adopted by the Ministers' Association in regular session February 1, 1897.

CHAS. H. METTS,  
Secretary.

W. H. DANIEL,  
President.

Which petition was read and referred to the Committee on Education.

Senator Houghton presented a petition signed by divers and sundry citizens of the State of Indiana praying that legislation be passed that will prohibit the manufacture and sale of cigarettes and cigarette wrappers in the State of Indiana.

Which petition was referred to the Committee on Public Health.

Senator Early introduced Senate Bill No. 859, entitled :

A bill for an act providing for a metropolitan police force in all cities containing not less than ten thousand inhabitants and not more than thirty-five thousand inhabitants, and for the appointment of a board of metropolitan police commissioners for such cities and defining their duties and prescribing their powers, providing for the appointment of officers, patrolmen and other members of the metropolitan police force of such cities by such board, and the manner of paying them for their services, and repealing certain laws, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

House Bill No. 424 was referred to Committee on Judiciary.

Senate Bill No. 192 was called up as a special order.

The following report, made by Senator Holler, Chairman of the Committee on Swamp Lands and Drains, and which was made a special order with Senate Bill No. 192, was adopted :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 192, the same being a bill for an act

concerning drainage and repairs of ditches, etc., introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

House Concurrent Resolution No. 15 was adopted.

The roll was called for bills on third reading.

Senator O'Brien called up Senate Bill No. 19.

Which was read a third time.

Senator Drummond moved to make Senate Bill No. 19 a special order for Thursday morning at 10 o'clock.

Which motion was carried.

Senator Rinear called up Senate Bill No. 137 for third reading.

Which was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Horner and O'Brien. Total, 2.

Those voting in the negative were:

Senators Ball, Bethell, Bobilya, Campbell, Culbert, Drummond, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Connor, Phares, Rinear, Schneck, Self, Stroup, Watson. Total, 31.

And so the bill failed to pass.

Senator Newby was called to the chair at 10:45.

Senator Schneck called up Senate Bill No. 47 for third reading.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Culbert, Early, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Houghton, Johnson of Madison, Kern, Leich, Mull, New, Rinear, Shea. Total, 18.

Those voting in the negative were:

Senators Bethell, Campbell, Drummond, Gill, Holler, Horner, Hugg, Humphreys, Johnston of Dearborn, LaFollette, McCord, Newby, Nusbaum, O'Brien, O'Connor, Phares, Schneck, Self, Shiveley, Stroup, Sweeney. Total, 21.

So the bill failed to pass.

Senator Duncan moved that Senate Bill No. 177 be recommitted to the Committee on County and Township Business.

Senate Bill No. 29 was called up by Senator Shiveley as a special order for 11 o'clock.

The bill then stood for amendment, rejectment or engrossment.

The Chair requested that Senator Scneck be granted leave of absence for an indefinite period on account of the death of his son.

Which was granted.

Whereupon Senator Hawkins moved, as a mark of respect toward Senator Schneck, that the Senate immediately adjourn.

Which motion prevailed.

And at 11:15 the Senate adjourned.

## WEDNESDAY AFTERNOON.

FEBRUARY 3, 1897.

The Senate reconvened at 2 o'clock p. m., with Lieutenant-Governor Haggard in the chair.

Senator Gilbert offered the following resolution :

MR. PRESIDENT :

I offer the following resolution :

*Resolved*, That the File Clerk of the Senate be directed to keep posted in a conspicuous place in the Senate Chamber a list of the special orders that may occur from day to day.

GILBERT.

Which resolution was adopted.

Special Order Senate Bill No. 29 was taken up.

Senator Hawkins moved that the bill be recommitted to the Committee on Judiciary.

Senator Ball offered the following amendment to Senate Bill No. 29 :

MR. PRESIDENT :

I move to strike out sections 10 and 11 of Senate Bill No. 29, and to strike out all the words in line 4 after the word "recover," and insert therein after the word "recover," "compensatory and exemplary damages."

BALL.

The question then being on the motion of Senator Hawkins to recommit.

The motion prevailed.

And the bill and amendment were recommitted to the Committee on Judiciary.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred Senate Bill No. 42, introduced by Senator Gilbert, has had the

same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be committed to the Committee on Judiciary to be considered by that committee in connection with Senate Bill No. 29.

HUBBELL,  
Chairman.

Which report was adopted.

Senator Self called up Senate Bill No. 160.

The bill was read a third time by sections.

Senate Bill No. 160 was put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Rinear, Self, Shea, Shiveley, Stroup, Watson. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Shea called up Senate Bill No. 105.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Early, Ellison, Gill, Goar, Gochenour, Gostlin, Hawkins, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, LaFollette, McCord, Mull,

New, Newby, Nusbaum, O'Brien, O'Connor, Rinear, Self, Shea, Stroup, Watson. Total, 34.

Those voting in the negative were :

Senators Ball, Goodwine, Hogate, Kerns, Leich, Phares, Shiveley. Total, 7.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

Hon. J. C. Lawler was introduced to the Senate and made a short address.

Senator Shiveley called up Senate Rill No. 201.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collet, Culbert, Drummond, Ellison, Gilbert, Gill, Goar, Gochenour, Gostlin, Hawkins Hogate, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Connor, O'Brien, Phares, Rinear, Self, Shiveley, Stroup, Watson. Total, 87.

Those voting in the negative were :

Senators Bethell, Early, Houghton, Johnston of Dearborn. Total, 4.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Shiveley offered the following amendment :

I move to amend the title by adding the words, "and declaring an emergency."

The amendment was adopted, and the title as amended ordered to stand as the title of the act.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 199, entitled a bill for an act to compel Boards of Commissioners of counties whose orphans' homes are maintained to keep all orphan and destitute children which are charges upon such counties at the orphans' homes, and providing for the enforcement by the Prosecuting Attorneys, and prescribing a penalty and requiring the grand jury to visit such orphans' homes and make a report thereof to the court, and the same is herewith transmitted for action to the Senate.

B. H. PRATHER,  
Principal Clerk.

House Bill No. 199 was referred to the Committee on Benevolent Institutions.

Senator Stroup called up Senate Bill No. 170.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

Senator Hubbell moved that the bill be recommitted to the Committee on County and Township Business.

Senator Newby moved to lay the motion of Senator Hubbell on the table.

Which motion was lost.

The question then recurred on the motion of Senator Hubbell.

The motion of Senator Hubbell was held out of order.

The following communication was received from the Governor:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Bill No. 307, an act legalizing the incorporation of the town of Roann, Wabash County, Indiana. Also, Senate Bill No. 6, an act granting certain powers



to Boards of County Commissioners in certain cases, and the same have been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

To the Honorable President of the Senate.

Read in the Senate at 3:10 o'clock P. M.

Senator Shiveley was called to the Chair to preside at 3:20.

Senator Hubbell made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 170 be recommitted to Senator Gilbert as a committee of one, and that he is hereby instructed to amend said bill by adding after the word "State," in line 9 of section 2, the words "until all taxes due thereon and unpaid shall have been paid," and that when so amended he report the same to the Senate.

HUBBELL.

Senator Bobilya moved that the motion of Senator Hubbell be laid on the table.

Which motion was lost.

The question then recurring on the motion of Senator Hubbell.

The motion prevailed and the bill was recommitted.

Senator Gilbert, a committee of one—the author—to whom was referred Senate Bill No. 170, made the following report:

MR. PRESIDENT :

Your Committee of One, to whom was referred Senate Bill No. 170, begs leave to report the same back to the Senate with the same amended in accordance with the instructions of the Senate.

GILBERT.

Which report was concurred in.

Senator Shea made the following motion on Senate Bill 170:

I move that the bill be recommitted to the author with instructions to amend as follows:

Amend section 1, line 20, by striking out the words "a certificate," and insert in lieu thereof, a stamp.

Striking out the words following "taxation," in line 22, to and including the word "attached," in line 24.

Amend section 2, line 6, the word "certificate," and insert in lieu thereof the word "stamp."

SHEA.

Which motion was lost.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Campbell, Drummond, Duncan, Gilbert, Gill, Goar, Horner, Hubbell, Humphreys, LaFollette, McCord, Nusbbaum, O'Brien, O'Connor, Watson. Total, 16.

Those voting in the negative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Collett, Culbert, Ellison, Gochenour, Gostlin, Hawkins, Hogate, Holler, Houghton, Hugg, Johnston of Dearborn, Kerns, Leich, Mull, New, Newby, Phares, Rinear, Shea, Shiveley, Sweeney. Total, 25.

So the bill failed to pass.

Senator Watson called up Senate Bill No. 162.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The Lieutenant-Governor resumed the chair at 4 p. m.

The roll was called on the passage of Bill No. 162.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Gilbert, Gill, Goar, Gochenour, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Kerns, LaFollette, Leich, McCord, Mull, New,

Newby, Nusbaum, O'Connor, Phares, Rinear, Shea, Shiveley, Sweeney, Watson. Total, 36.

Senator Johnston of Dearborn voting in the negative.

The question being, Shall the title of the bill stand as the title of the act?

Senator Watson moved that the title be amended by adding the word "section" thereto.

Which motion was carried, and the title amended accordingly.

Senator Bozeman offered the following resolution, No. 81:

MR. PRESIDENT:

WHEREAS, House Bill No. 167 was passed by the House, February 1, 1897, and on said day transmitted to the Senate, and on the second day of February, 1897, being the next legislative day, a motion to reconsider the action of the House was filed and is now pending, but under parliamentary usage said bill now having passed from said House no action can be taken thereon; and

WHEREAS, The transfer without privilege of having motion to reconsider works a violation of the rules of the General Assembly; therefore, be it

*Resolved*, That said House Bill No. 167 be returned to the House for further consideration.

BOZEMAN.

Which resolution was adopted.

Senator Newby made the following motion:

I move to substitute the following for Senate Bill No. 185:

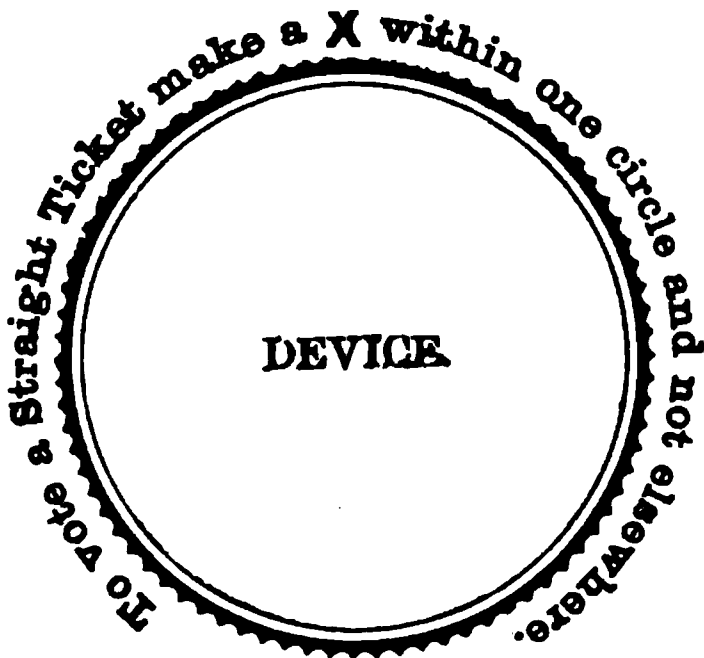
NEWBY.

Senate Bill No. 185, entitled:

A bill for an act providing for the printing of ballots, the form thereof, the manner of countersigning the ballots, the manner of voting, counting and protesting the same, the manner of making and filing and accepting nominations and filing resignations, and providing for furnishing rooms and other furniture and equipments for holding elections in all State,

county, township and municipal elections in the State of Indiana, and providing penalties for violations of this act.

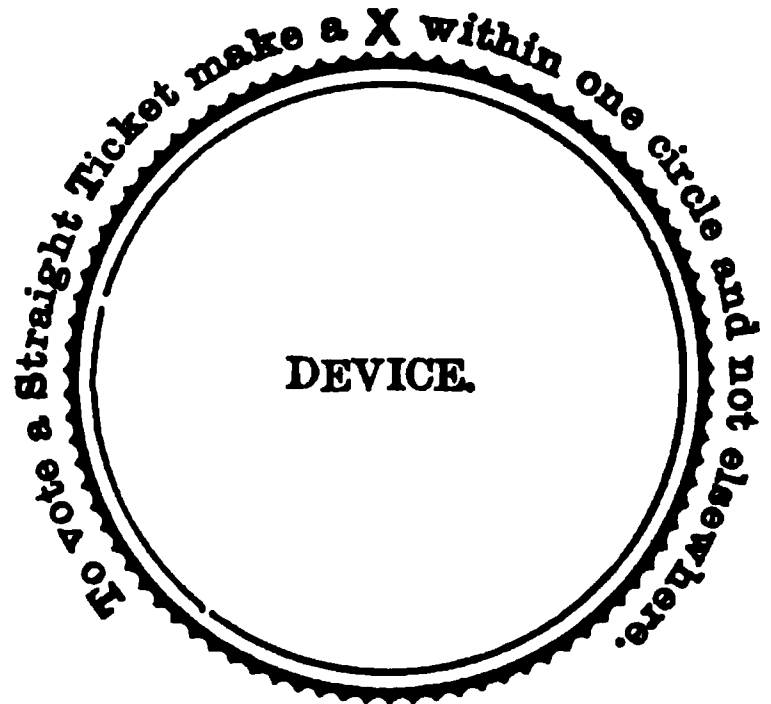
**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana,* That the Board of Election Commissioners of the State of Indiana, the Boards of Election Commissioners of the several counties of the State, and the Boards of Election Commissioners of the several cities and towns of the State of Indiana, shall cause the names of all candidates of their respective jurisdiction to be printed on one ballot, all nominations of one party or group of petitioners being placed under the title and device of such party or petitioners as designated by them in their certificate or petition, or if none be designated under some suitable title or device. The ballots shall be of uniform size and of the same quality and color of paper, and sufficiently thick that the printing can not be distinguished from the back. All ballots prepared by the State Board of Election Commissioners shall be printed on red tinted paper, and put up in blocks of one hundred each. All ballots prepared by the County Boards of Election Commissioners shall be printed on white paper. If the same device for designating candidates be selected by two parties or group of petitioners it shall be given to the one which first selected it, and a suitable device shall be selected for the other. The device named and list of candidates of the Democratic party shall be placed in the first column on the left-hand side of said ballot; and of the Republican party in the second column; and of any other party in such order as the Board of Election Commissioners shall decide. The device of each party shall be enclosed in a circle of not less than one and one-half inches in diameter, and shall be placed at the head of the list of candidates of the party, and the following words shall be printed around the outer edge of each of said circles, to wit: "To vote a straight ticket make a × within one circle and not elsewhere." Immediately under it shall be placed the name or title of the party ticket, and immediately under the name or title the list of candidates of the party, such names being placed three-fourths of one inch apart from center to center of the name, the name of each candidate having immediately on its left a square three-eighths of an inch on each side, and the general arrangement of the ballot shall conform as nearly as possible to the following:



DEMOCRATIC TICKET.



For Governor,  
BENJAMIN F. SHIVELEY.



REPUBLICAN TICKET.



For Governor,  
JAMES A. MOUNT.

SEC. 2. If any certificate or petition of nomination shall contain the name of more than one candidate for an office to be filled, neither name shall be printed as a candidate for such office. If any person shall join in nominating by petition more than one nominee for any office to be filled, such person shall not be counted as a petitioner for either nomination.

The name of any person who has been selected or nominated as a candidate for any office, by convention, petition or otherwise, shall not appear in more than one place, and but once upon a ballot. If any person has been nominated as a candidate for the same office, both by petition and by convention, his name shall be placed on the ballot but once, to wit: In the list of candidates nominated by such convention, and the place occupied by his name in such petition shall be left blank: *Provided*, That if such candidate shall, in writing, signed and acknowledged before some person authorized to take acknowledgements, prior to the last day for filing nominations, request that his name be printed as nominated by petition, it shall be so printed, and shall be omitted from the list nominated by convention.

SEC. 3. When a voter shall have been passed by the challengers, or shall have been sworn in, he shall be admitted to the election room: *Provided, however*, That not more than three voters shall be allowed in the room at one time. On

entering the room the voter shall announce his name to the poll clerks, who shall register it. The clerk holding the ballots shall deliver to him one State and one local ballot, and the other clerk shall thereupon deliver to him a blue pencil, and both poll clerks, on request, shall give explanation of the manner of voting. If deemed necessary by any member of the Board, an interpreter may be called. The voter shall then, and without leaving the room, go alone into any one of the booths which may be unoccupied, and indicate the candidates for whom he desires to vote, by making a cross, thus, "X," on the square immediately preceding their names, and indicate his preference on any question of constitutional amendments or other special matter by a similar mark in front of the words "yes" and "no," under such questions: *Provided, however,* That if he shall desire to vote for all the candidates of one party or group of petitioners, he may mark in the large circle inclosing the device and preceding the title under which the candidates of such party or group of petitioners are printed, and the vote shall then be counted for all the candidates under that title. If the voter marks on the large circle enclosing the device, he shall not mark elsewhere on the ballot unless there be no candidate for same office in the list printed under such device, in which case he may indicate his choice for such office by marking the square to the left of the name of any candidate for such office on any other list. A mark on the ballot in violation of the provision shall be treated as a distinguishing mark. If a pencil mark touches a circle or a square, it shall be counted on such circle or square, but a mark that touches no circle or square shall be treated as a distinguishing mark. Before leaving the booth or compartment, the voter shall fold his ballots separately, so that no part of the faces thereof shall be exposed, and so that the initials of the poll clerks shall be exposed, and on leaving the booth or compartment, shall return the pencil to the poll clerk and deliver the ballots to the Inspector, or to the Judge who may be temporarily authorized to act for him, who shall forthwith, in the presence of the voter and of the election board, deposit the same in the respective ballot boxes, the State ballot in the red ballot box, and the local ballot in the white ballot box, and the ballot clerks shall write the word "voted" after the name of the voter on the poll list: *Provided, however,* That if an elector shall show his ballot or any part thereof

to any other person after the same shall have been marked, so as to disclose any of the candidates voted for, such ballots shall not be deposited in the ballot box. A minute of such occurrence shall be made on the poll list, and such person shall not be allowed to vote thereafter. If a voter shall offer to vote a ballot so folded as not to disclose the initials of the poll clerks and also not disclosing the face of the ballot, the Election Board shall direct him to return to the booth and fold his ballot properly. After voting, the voter shall leave the room, but no voter to whom a ballot and pencil, or either, have been delivered, shall be permitted to leave the room without voting the ballots or returning them to the poll clerks, or without returning the pencil to the poll clerk from whom he received it. It shall be unlawful for any voter to attempt to leave the room with a ballot or the pencil used in marking ballots in his possession, and any voter who shall attempt to leave the room with a ballot or such pencil in his possession, shall be at once arrested on demand of any member of the Election Board.

SEC. 4. If any candidate whose nomination has been certified according to law shall wish to resign from such ticket he shall file his resignation in writing with the officer with whom such certificate of nomination was filed, within three days after the filing of such petition of nomination, and any resignation filed after the time mentioned in this section shall not be considered by the Board of Election Commissioners: *Provided*, That no resignation shall be filed with or received by the State Board of Election Commissioners within twenty days immediately preceding an election. And that no resignation shall be filed with or received by any County Board of Election Commissioners within fifteen days immediately preceding an election: *Provided, further*, That should any vacancy occur on the ticket by reason of the death of any candidate whose name has been legally certified such vacancy shall be filled as now provided by law.

SEC. 5. Whenever any person has been nominated by two or more parties either by convention, petition or otherwise, he shall make his election as to which of such nominations he will accept, in writing, signed and acknowledged before some officer authorized to take acknowledgments, and file the same with the proper Board of Election Commissioners.

Where a person has been so nominated for an office for which all electors of the State may vote, he shall file his election with the State Board of Election Commissioners not more than sixty nor less than twenty days before the day fixed by law for the election of the persons in nomination; and when a person has been so nominated for an office, wherein it is required by law to file the certificate or petition of such nomination with the County Clerk; he shall make and file his election with the Clerk of the county in which such nomination is made, if for a county office, and with the Clerks of all the counties of the district, if for a district office, not more than sixty days nor less than fifteen days before election. And if a person so nominated shall not make and file his election, as herein provided, with the proper Board of Election Commissioners, said Board shall make such election for him, giving preference to the nominations made by conventions. And after such election is made, the Board of Election Commissioners shall place the name of such person in the list of nominees under the party name and device as indicated by him or the Board of Election Commissioners, and under no other device and not elsewhere upon the ballot.

It shall be the duty of the County Commissioners in each county before each election to provide for and secure in each precinct of the county a suitable room in which to hold the election, and to have placed therein a railing separating the part of the room to be occupied by the Election Board from the remainder of the room, and also three booths or compartments in which electors shall mark their ballots, screened from observation, each containing a counter or shelf. Booths shall be so constructed and arranged that all the members of the Election Board can see whether more than one voter enters any one of such booths at one time, and each and every member of any Election Board allowing any booth or compartment, in which an elector is preparing his ballot, to be used without a screen or such screen being so arranged as not to shield the preparation of the ballot from observation shall, upon conviction thereof, be fined for each offense in any sum not exceeding one hundred (100) dollars nor less than five (5) dollars, to which may be added an imprisonment in the county jail not exceeding ninety (90) days. The portion of the room set



apart for the Election Board shall include a window at which the voter shall appear for challenge, and such voter shall immediately announce his full and true name to the challenger.

The Board of County Commissioners shall also provide for each precinct a chute or passage with a railing, rope or wire on each side, commencing fifty feet away from and leading to such polling place, passing such window for challenge, and thence to the entrance of the room in which the election is held. The expense of such preparation shall be defrayed as other expenses by the Board of County Commissioners.

No election shall be held in a room in which spirituous, vinous, malt or other intoxicating liquors are kept and sold.

SEC. 7. The Election Boards shall, in canvassing the votes begin first with the State ballot, and complete them before proceeding with the local ballot, by laying each ballot upon the table in the order in which it is taken from the ballot box; and the Inspector and the Judge of Election differing in politics from the Inspector, shall view the ballots as the names of the persons voted for are read therefrom. And in the canvass of the votes any member of the Election Board may protest as to the counting of any ballot, or any part thereof, and any ballot which is not indorsed with the initials of the Poll Clerks as provided by law, and any ballot which shall bear any distinguishing mark or mutilation shall be void, and shall not be counted, and any ballot or part of a ballot from which it is impossible to determine the elector's choice of candidates shall not be counted as to the candidate or candidates affected thereby; and all such ballots, together with all protested, disputed and uncounted ballots, shall be preserved by the Inspectors, and at the close of the count placed with the seals of the ballot packages in paper bags securely sealed, and delivered to the Clerk of the county with notification to him of the number of ballots so placed in such bags, and of the condition of the seals of the ballot packages. The Poll Clerks shall also record on the tally sheets memoranda of such ballots, and the condition of the seal of the ballot packages, and any contest of election such ballots and seals may be submitted in evidence. And before said ballots are placed in the bags as aforesaid one of the Poll Clerks shall indorse upon the back of each disputed or protested ballot the word "counted" or "not counted" as the

case may be, and said indorsement shall be signed officially by both of said Poll Clerks. On completing the count and recording the same on the tally sheets all the remaining ballots, except those marked mutilated or otherwise defective are required to be preserved as in this section hereinbefore described, shall be destroyed by the Election Board, by totally consuming them by fire before adjournment, and thereupon the Election Board shall immediately make a memorandum of the total vote cast for each candidate, and deliver a copy thereof to each member of such board. No person other than members of the Election Board, Poll Clerks and Election Sheriffs shall be permitted in the election room during the election or during the canvass of the votes except for the purpose of voting.

SEC. 8. At the opening of the polls, after the organization of and in the presence of the Election Board, the Inspector shall open the packages of ballots in such a manner as to preserve the seals intact. He shall then deliver to the poll clerk of the opposite political party from his own, twenty-five each, of the State and local ballots; and to the other poll clerk a blue pencil for marking the ballots. The poll clerks shall at once proceed to write their initials in ink on the lower left hand corner of the back of each of said ballots in their ordinary handwriting, and without any distinguishing mark of any kind. As each successive elector calls for a ballot the poll clerks shall deliver to him the first signed of the twenty-five ballots of each kind, and the Inspector shall immediately deliver to the poll clerks another ballot of each kind, which the poll clerks shall at once countersign as before, and add to the ballots already countersigned, so that it shall be delivered for voting after all those theretofore countersigned.

SEC. 9. All laws and parts of laws in conflict herewith are hereby repealed.

Senator Drummond moved to recommit Senate Bill No. 185 to the Committee on Judiciary.

The result of the *viva voce* vote being in doubt a division was called for, and the motion was lost by a vote of 13 in the affirmative to 23 in the negative.

Senator Drummond moved to make Senate Bill No. 185 a special order for Monday at 2 o'clock P. M.

The motion was lost.

Senator Shea moved to make Senate Bill No. 185 a special order for Monday at 11 o'clock.

The Chair held the motion out of order.

Senator Nusbaum moved to adjourn.

Which motion was lost.

Senator LaFollette moved to have Senate Bill No. 185 reprinted and made a special order for Friday at 10:00 A. M.

The result of the *viva voce* vote being in doubt the Chair ordered a division, and by a vote of 22 in the affirmative to 8 in the negative the motion was carried.

Senator Self introduced Senate Bill No. 860, entitled:

A bill for an act concerning public offenses and their punishment.

Read first time and referred to the Committee on Judiciary.

On motion of Senator Shiveley, the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## THURSDAY MORNING.

FEBRUARY 4, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

Prayer was offered by the Rev. Dr. Bessonies, of Indianapolis.

The Journal of yesterday was ordered read.

After a portion of the same was read, the further reading was dispensed with on motion of Senator O'Brien.

Senator Horner moved that a committee of three be appointed from the Senate to act with a like committee from the House to invite Susan B. Anthony to address the joint session to-morrow morning at 10 o'clock.

Senator Shiveley moved to amend the motion of Senator Horner by changing the time of going to the House of Representatives to 9 o'clock.

And the motion as amended prevailed.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

INDIANAPOLIS, February 4, 1897.

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bill No. 325, introduced by Senator Gilbert, and has compared the same with the engrossed bill, and find that said bill has been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

The following communication was received from the House :  
MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills No. 120, entitled a bill for an act providing for the discharge of prisoners from State prisons, making an appropriation to carry the same into effect, repealing all laws in conflict therewith and declaring an emergency; and No. 87, entitled a bill for an act repealing section three (3) of an act entitled an act to provide for the recording of wills and orders of court in certain cases, approved March 9, 1891, and declaring an emergency, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 120 was read the first time and referred to the Committee on Prisons.

Engrossed House Bill No. 87 was read first time and referred to the Committee on Judiciary.

Senator Hogate moved to reconsider the vote taken yesterday by which Senator Shiveley's resolution to authorize the President and Secretary to purchase a lock safe for the use of the Senate was lost.

Which motion prevailed.

The question recurring upon the adoption of Senator Shiveley's resolution.

The motion carried and the resolution adopted.

Senator Ball arose to ask permission to go upon the record as voting against the resolution.

The request was granted.

Senate Bill No. 19 was taken up on a special order.

Was read a third time and put upon its passage.

Senator Drummond moved that Senate Bill No. 19 be recommitted to its author with instructions to amend.

Which motion was lost.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Campbell, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 39.

Those voting in the negative were:

Senators Bobilya, Drummond, Gill, Humphreys, Johnson of Dearborn. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Duncan introduced Senate Bill No. 361, entitled:

A bill for an act entitled an act to amend section four hundred and twenty-two of an act concerning proceedings in civil cases, approved April 7, 1881, the section hereby amended being section 561 Revised Statutes of 1881, and being section 570 Revised Statutes of 1894 of the State of Indiana, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 362, entitled:

A bill for an act concerning the opening of streets and alleys in incorporated towns in the State of Indiana.

Read first time and referred to the Committee on Cities and Towns.

Senator Duncan introduced Senate Bill No. 353, entitled:

A bill for an act in relation to changes of venue, and to repeal all laws conflicting therewith, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 364, entitled :

A bill for an act authorizing women to vote at elections of members of Boards of School Commissioners of cities provided for by an act entitled "An act providing for a general system of common schools in all cities of thirty thousand or more inhabitants, and for the election of a Board of School Commissioners for such cities, and defining their duties and prescribing their powers, and providing for common school libraries within such cities," approved March 3, 1871, and acts amendatory thereof and supplementary thereto.

Read first time and referred to the Committee on Education.

Special order Senate Bill No. 122 was taken up at 10:30.

The question being on the substitution of the minority report for the majority report, the substitution failed to be made, and the majority report was concurred in.

The roll was called for House Bills on second reading.

Senator Duncan called up House Bill No. 133.

The bill was read a second time by title.

Senator Duncan moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collet, Culbert, Duncan, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, New, Newby, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The roll was called for House bills on third reading.

Senator Bobilya called up House Bill No. 96.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bethell, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hogate, Horner, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, New, Nusbaum, O'Brien, O'Connor, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 36.

Those voting in the negative were:

Senators Holler, Houghton, Hugg, Johnson of Madison, McCord, Newby, Phares. Total, 7.

So the bill passed.



The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senate Bill No. 117 was taken up as a special order for 11 o'clock.

The bill was put upon its passage.

The question being, Shall the bill pass?

Senator Shiveley was called to the chair at 11:15 o'clock.

Senator Ellison took the floor to speak in behalf of Senate Bill No. 117.

Point of order was made by Senator Newby that Senator Ellison had occupied more than the time allotted to one member at one time upon one subject.

Senator Hawkins moved that Senator Ellison's time be unlimited.

Which motion prevailed.

On motion of Senator LaFollette the Senate adjourned.

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## THURSDAY AFTERNOON.

FEBRUARY 4, 1897.

The Senate convened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

Senator Newby asked the consent to make some reports on bills in the hands of the Judiciary Committee.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 202, introduced by Senator McCord, has had the same under consideration, and begs leave to report the same back with the following substitute therefor, to wit:

A bill for an act to amend section 113 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881, and being section 2018 of the Revised Statutes of 1881.

*Be it enacted by the General Assembly of the State of Indiana,* That section 113 of an act entitled an act concerning public offenses and their punishment, approved April 14th, 1881, being section 2018 of the Revised Statutes of 1881, be and the same is hereby amended to read as follows :

**SEC. 113.** Any officer under the constitution or laws of this State, or any incorporated city or town situated therein, who by color of his office asks, demands or receives any fee or reward other than is allowed by law to execute or do his official duty, or taxes, charges, asks, demands or receives any more or greater fees than are allowed by law for such official duty ; or any officer who requires any deputy appointed by him to divide or pay back to such officer a part of the legal fees of such deputy, or who fails to perform any duty in the manner and within the time prescribed by law, shall upon the conviction thereon be fined in any sum not more than \$500 nor less than \$50, to which may be added imprisonment in the county prison not exceeding six months. And any officer so offending a second or subsequent time upon conviction thereof shall be fined in any sum not more than one thousand dollars nor less than ten dollars, to which may be added imprisonment in the county jail not exceeding twelve months, or imprisonment in the State prison for any period not exceeding two years, and may be disfranchised and rendered incapable of holding any office of trust or profit for any determinate period.

L. P. NEWBY,  
Chairman.

Which report was adopted.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 309, introduced by Senator Gostlin, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEWBY.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 177, introduced by Mr. East, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the title of said bill be amended to read as follows:

A bill for an act to repeal section two hundred and seventeen (217), two hundred and eighteen (218), two hundred and nineteen (219), and two hundred and twenty (220), of an act entitled an act concerning taxation, repealing all laws in conflict therewith and declaring an emergency, approved March 6, 1891, and that when so amended that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 255, introduced by Senator Self, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 323, introduced by Senator Nusbaum, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be referred to the Committee on Railroads.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 231, introduced by Senator Hawkins, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that sections two (2) and seven (7) be stricken out. That the sections be renumbered, and that with said amendments so made that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 310, introduced by Senator Gostlin, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be printed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 315, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 306, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 359, introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY, Chairman,  
J. J. M. LAFOLLETTE,  
W. R. WOOD,  
HOUGHTON,  
CHAS. E. SHIVELEY,  
W. H. WATSON,  
O. Z. HUBBELL.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 359, introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

DRUMMOND,  
SHEA,  
ELLISON.

The question being on the substitution of the minority report for the majority report.

The result of the *viva voce* vote being in doubt, a division was ordered and the minority report was not substituted, by a vote of 12 in the affirmative to 21 in the negative.

The majority report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 245, introduced by Senator Phares, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.  
O. Z. HUBBELL,  
W. R. WOOD,  
CHAS. P. DRUMMOND,  
SHEA,  
ELLISON,  
SHIVELEY.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 245, introduced by Senator Phares, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

HOUGHTON,  
J. J. M. LAFOLLETTE.

By a *viva voce* vote the minority report failed to be substituted for the majority report.

And the majority report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred House Bill No. 812, introduced by Mr. Morris, has had the

same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 115, introduced by Mr. Morris, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by striking out the third subdivision of section one thereof; and by striking out the fourth subdivision of said section, and inserting in lieu thereof the following: 'To regulate and control the kind and location of poles used by telegraph, telephone, electric light and street railway companies within the corporate limits of any such city; and that subdivision 4 be numbered 3, and subdivision 5 be numbered 4, and when so amended that the bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

The Committee on Cities and Towns made the following report:

MR. PRESIDENT:

A majority of your Committee on Cities and Towns, to which was referred Senate Bill No. 169, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

Houghton,  
Chairman.

**MR. PRESIDENT :**

A minority of your Committee on Cities and Towns, to which was referred Senate Bill No. 169, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the accompanying substitute bill be substituted therefor, and that said substitute bill do pass.

McCord,  
Bobilya,

A bill for an act authorizing school cities to negotiate and sell bonds with which to refund and pay bonds and debts heretofore legally contracted for the erection, completion and purchase of school buildings and grounds, and authorizing the levying and collection of an additional special school tax for the payment of such bonds, and repealing all laws in conflict herewith.

**WHEREAS,** The Supreme Court of the State of Indiana has declared that school cities are distinct municipal corporations; and,

**WHEREAS,** School cities have heretofore purchased grounds and erected school buildings thereon, and the Common Councils of such cities have heretofore issued bonds in accordance with the new statutory law of this State to pay for such buildings and grounds; and,

**WHEREAS,** Such Common Councils have failed to levy the necessary sinking and interest funds with which to pay in whole or in part said bonds; therefore,

**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana,* That any school city in this State which shall by the action of the School Trustees have purchased any grounds or erected any buildings for school purposes and have cause to have heretofore issued under the now existing laws of the State of Indiana by the Common Council of such city bonds executed by the Common Council of such city for the purpose of paying for such buildings and grounds for school purposes, and which such Common Council, at the date of the maturity of such bonds, shall not have on hands sufficient funds to pay such bonded indebtedness, may for the purpose of refunding the residue of such bonded indebtedness, issue the bonds of said



school city in denominations of not less than \$100 nor more than \$1,000, and payable at any place that may be designated in the bonds; principle to be payable in not less than one year nor more than twenty years after the date of such bonds, and the interest annually or semi-annually, as may be therein provided. Such bonds shall in no event increase the aggregate indebtedness of said school city beyond two per centum upon the taxable property of such school city; and such school city may negotiate and sell such bonds for such purpose and for the best price that can be obtained therefor. Such bonds shall bear interest at no greater rate than six per centum per annum, payable semi-annually.

SEC. 2. The proceeds of the sale of such bonds shall be applied by such school city to the payment of such original bonded school indebtedness; but before the purchaser shall be compelled to pay the purchase price of such school bonds to such school city, the Treasurer of such school city shall file with the County Auditor a bond payable to the State of Indiana, in a sum not less than the full amount of said money so to be paid to them and with security to be approved by said Auditor, to be conditioned for the faithful and honest application of such money to the purpose for which same was provided, and such Treasurer and his sureties shall be liable for any waste, misapplication or loss of said money in the same manner as now provided by law for waste or loss of school revenue.

SEC. 3. Such funding bonds shall not be sold for less than par.

SEC. 4. In addition to the right now given such school city to levy special school taxes, they shall have the right, and it shall be their duty, to levy as they levy other school taxes, a sufficient tax each year to pay the interest upon said bonds and to create a sinking fund to pay such bonds at the maturity thereof: *Provided, always,* That the additional special tax hereby authorized shall not in any one year exceed twenty-five cents upon each one hundred dollars of taxable property and one dollar on each poll.

SEC. 5. All acts in conflict with this act are hereby repealed.

Senator Ball moved to suspend action on the reports on Senate Bill No. 169 until said substitute be printed.

Which motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 430, entitled :

A bill for an act to legalize the incorporation of the town of Andrews in the county of Huntington and the State of Indiana. The election and qualification of the Boards of Trustees and the officers thereof, and all acts, ordinances, orders, by-laws, resolutions, contracts, minutes, and proceedings of the Board of Trustees of said town, and declaring an emergency.

Which was read the first time and referred to the Committee on Cities and Towns.

And the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to return to the Senate Engrossed Senate Bill No. 148, for the reason that the endorsement on the bill shows that it failed to pass the Senate for want of a constitutional majority.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

I am directed by the House to inform the Senate that the House has refused to receive Engrossed House Bill No. 167, for the reason that said bill passed the House February 1, 1897, regularly, and was transmitted to the Senate regularly, by message, and the House sees no reason why said bill should be returned to the House.

B. H. PRATHER,  
Clerk of the House.

Senator Early moved that the vote by which Senate resolution on House Bill No. 167, by which said bill was returned to the House, be reconsidered.

Which motion was carried.

Senator Shiveley moved to lay Resolution No. 81 on the table.

The motion prevailed.

Senator Self, Chairman of the Committee on Public Buildings and Library, made the following report:

MR. PRESIDENT:

Your Committee on Public Buildings and Library, to which was referred Senate Concurrent Resolution No. 9, introduced by Senator Johnson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said resolution be indefinitely postponed.

SELF,  
Chairman.

Which report was concurred in.

Senator Self, Chairman of the Committee on Public Buildings and Library, made the following report:

MR. PRESIDENT:

Your Committee on Public Buildings and Library, to which was referred Senate Bill No. 337, introduced by Senator O'Brien, being a bill for an act for the better accommodation of the law library of the Supreme Court, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

SELF,  
Chairman.

Which report was concurred in.

The Chair appointed Senators Horner, Duncan and Holler as a committee of three to act with a like committee from the House to invite Susan B. Anthony to address the Joint Assembly in the hall of the House of Representatives to-morrow morning at 9 o'clock.

Senator Duncan moved that the further consideration of Senate Bill No. 117, which was the special order for 11 o'clock, be postponed, and the bill be made a special order for 2 o'clock Monday.

Which motion prevailed.

Senator LaFollette moved to recommit Senate Bill No. 59, which was a special order for 2 o'clock, to the Committee on Education.

Which motion prevailed.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 167, introduced by Mr. Gochenour, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that section 8 of said bill be amended as follows: That the salary of the Clerk of the Supreme and Appellate Court be fixed at \$5,500; Chief Deputy, \$1,800; First Assistant, \$1,500; Stenographer, \$720; Record Clerk, \$720; that these amendments are made that said bill do pass.

W. R. WOOD,  
Chairman.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, by Senator Holler, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 300, introduced by Senator Humphreys, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. SCHNECK,  
Chairman.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, by Senator Holler, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 302, introduced by Senator Collett, has had the same under

consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. SCHNECK,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report :

MR. PRESIDENT :

Your Committee on Claims and Expenditures, to which was referred Senate Bill No. 193, introduced by Senator Goar, by request, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

HUGG,  
Chairman.

Which report was concurred in.

Senator Bobilya introduced Senate Bill No. 365, entitled :

A bill for an act making it unlawful for any person, firm, company or corporation, owning, operating, or having contract of any rendering establishment or business making use in any way of the carcass of any dead animal, or any part thereof, to allow any hog or other domestic animal or fowl to feed upon or eat any such carcass or any part thereof, and prescribing penalties for the violation thereof.

Read first time and referred to the Committee on Agriculture.

Senator Alexander, by request, introduced Senate Bill No. 366, entitled :

A bill for an act to prevent the location or construction of a railroad on real estate held, used, or occupied as a cemetery, and providing that any person or corporation may be perpetually enjoined from locating or constructing a railroad on cemetery grounds, and providing a penalty for violating this act.

Read first time and referred to the Committee on Judiciary.

Senator New introduced Senate Bill No. 367, entitled :

A bill for an act to provide a sinking fund and the liquidation of the indebtedness of cities of more than one hundred thousand population, according to the last preceding United States Census ; providing for the appointment of Sinking Fund Commissions, the fixing of a tax to create a sinking fund and the control of the same, fixing penalties and declaring an emergency.

Read first time and referred to Committee on Affairs of the City of Indianapolis.

Senator Wood introduced Senate Bill No. 368, entitled :

A bill for an act to amend sections one (1) and three (3) of an act entitled an act concerning the ownership and alienation of real estate by aliens, and declaring an emergency, approved March 9, 1895, said sections being sections six hundred sixty-eight (668) and six hundred seventy (670) of Elliott's supplement to the Revised Statutes of Indiana, and sections three thousand three hundred thirty-two (3332) and three thousand three hundred thirty-four (3334) of Burns' Revised Statutes of 1894 of the State of Indiana.

Read first time and referred to Committee on Judiciary.

Senator Wood introduced Senate Bill No. 369, entitled :

A bill for an act relating to the heating of street railway cars.

Read first time and referred to the Committee on Cities and Towns.

Senator Wood introduced Senate Bill No. 370, entitled :

A bill for an act to require all claims against Circuit, Superior or Criminal Courts in this State, for services rendered or materials furnished for such Courts, to be verified, repealing all laws or parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hugg introduced Senate Bill No. 371, entitled :

A bill for an act to amend an act entitled an act to amend section ten (10) of an act providing for voluntary assignments of personal and real property in trust for the benefit of creditors, and regulating the mode of administering the same, approved March 5, 1859, which was approved February 17, 1898, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Early introduced Senate Bill No. 372, entitled :

A bill for an act providing for monthly sessions of the board of county commissioners in counties having a population of more than 50,000 and less than 100,000, according to the census of 1890, and providing and regulating the number of days such board shall sit, and fixing the salary for the commissioners in such counties, and providing additional compensation when they shall act as directors of turnpike companies in such counties, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator McCord, Chairman of the Committee on Mines, Mining and Manufactures, made the following report :

MR. PRESIDENT :

Your Committee on Mines, Mining and Manufactures, to which was referred Senate Bill No. 303, the same being a bill for an act to amend sections 5 and 7 of an act entitled an act to regulate the weighing of coal, etc., approved and in force June 3, 1891, introduced by Senator Horner, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

McCord,  
Chairman.

Which report was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 58 and 244, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

**Engrossed House Bill No. 58:**

A bill for an act providing for attorneys' fees when a mechanic, artisan, miner, laborer, servant or employe sues for wages.

Read first time and referred to the Committee on Judiciary.

**Engrossed House Bill No. 244:**

A bill for an act to prevent the clipping of horses at certain times and seasons of the year.

Read first time and referred to the Committee on Rights and Privileges.

Senator McCord, Chairman of the Committee on Mines and Mining, made the following report:

MR. PRESIDENT:

Your Committee on Mines and Manufactures, to which was referred Senate Bill No. 308, the same being a bill for an act to provide for the examination of mine bosses and hoisting engineers in mines, introduced by Mr. Horner, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

McCord,  
Chairman.

Which report was concurred in.

Senator Holler called up Senate Bill No. 326.

The bill was read a second time.

Senator Holler moved that the bill be recommitted to the Committee on Agriculture.

Which motion prevailed, and the bill was recommitted.

The roll was called for House bills on third reading.

Senator Houghton called up House Bill No. 312.

Senator Houghton moved that the constitutional rule requiring bills to be read on three several days be suspended, that House Bill No. 312 be read a second time by title, a third time by sections and put upon its passage.



The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Horner, Hugg, Humphreys, Johnson, Johnston, Kerns, Leich, McCord, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Self, Shea, Shiveley, Stroup. Total, 38.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, New, Newby, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Wood. Total, 37.

Senator Humphreys voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Houghton offered the following amendment:

MR. PRESIDENT:

I move to amend the title to Engrossed House Bill No. 312 so as to read as follows:

A bill for an act to legalize the incorporation of the town of Greenville, Floyd County, Indiana, the election and qualification of its several boards of trustees and other officers, and all

acts, orders, ordinances, resolutions, by laws, minutes and proceedings of the Board of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Which motion prevailed.

The title as amended was ordered to stand as the title of the act.

Senator Hubbell called up Senate Bill No. 165.

The bill was read a third time.

Senator McCord made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 165 to a committee of one, with instructions to amend the same by adding to section one the following: "unless said cars are equipped with appliances for air-brakes."

McCORD.

Which motion prevailed and the bill was recommitted.

Senator Hubbell, a committee of one, to whom was referred Senate Bill No. 165, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 165, with instructions to amend the same, begs leave to report that the bill has been amended as instructed.

HUBBELL.

Which report was concurred in.

Senator Self, Chairman of the Committee on Public Buildings and Library, made the following report :

MR. PRESIDENT :

Your Committee on Public Buildings and Library, to which was referred Senate Bill No. 20, introduced by Senator O'Brien, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

SELF,  
Chairman.

Which report was concurred in.

Senator Self, Chairman of the Committee on Public Buildings and Library, made the following report :

MR. PRESIDENT :

Your Committee on Public Buildings and Library, to which was referred Senate Bill No. 53, introduced by Senator Hugg, has had the same under consideration and begs leave to report the same back to the Senate with the subjoined substitute for said original bill, and recommend that said substitute do pass.

SELF,  
Chairman.

Substitute for Senate Bill No. 53 :

An act to amend sections 2, 5, 6, 9 and 11, of an act entitled "An act to provide for the appointment and compensation of a custodian of public buildings and property, and providing for the appointment and compensation of a State House engineer, prescribing their duties and fixing their compensation, as well as the compensation of other persons that may be employed by such officers, and all other matters connected therewith, and declaring an emergency." (Reconsidered and passed over the Governor's veto March 5, 1889), and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That section 2 of an act entitled an act to provide for the appointment and compensation of a custodian of public buildings and property, and providing for the appointment and compensation of a State House engineer, prescribing their duties and fixing their compensation, as well as the compensation of other persons that may be employed by such officers, and other matters connected therewith, and declaring an emergency (reconsidered and passed over the Governor's veto March 5, 1889), be amended so as to read as follows :

SEC. 2. He shall hold his office for four (4) years, subject to removal at any time by the Governor for cause.

SEC. 2. That section 5 of the above entitled act be, and the same is hereby amended to read as follows :

SEC. 5. The Custodian is hereby empowered and it shall be his duty to purchase from time to time such needed supplies as are required under the orders of the Auditor of State, and to superintend and cause such repairs to be made to the Capitol

or other property in his care as shall be deemed necessary to its protection, subject to the approval of the Auditor of State.

SEC. 3. That section 6 of the above entitled act be, and the same is hereby amended to read as follows:

SEC. 6. The Custodian is authorized and empowered to contract for and have supplied all water, ice, telegraph and telephone service required in the convenient and efficient discharge of the duties of the legislative, executive and judicial and other officers of the State Boards and other boards or representatives of the State at the seat of government, but all contracts and expenditures made by him for any of the purposes enumerated, or for any other purpose, must be approved by the Auditor of State. Such Custodian is hereby authorized to employ all such labor as may be required in carrying out the duties imposed by this act; to have charge of the same in and about the Capitol and grounds at all times, and employ and discharge the same or any part thereof, as the public interest may demand, and to see that ample provision is made for the meeting and organization of each house of the General Assembly; but nothing in this act shall deprive either house of the General Assembly from employing and controlling the necessary force for its comfort and convenience. Such Custodian shall institute the proper civil or criminal proceedings in the name of the State, with the advice and consent of the Attorney-General, against any person for any injury or threatened injury to any property of the State in his care.

SEC. 4. That section 9 of the above entitled act be and the same is hereby amended to read as follows:

Section 9. At the end of each month he shall, under oath, make out a list of expenses incurred under this act, itemizing the same with names of the persons entitled to payment thereunder and amounts thereof, and upon the same being approved by the Auditor of State shall issue warrants in the amounts and to the persons entitled thereto.

SEC. 5. That section 11 of the above entitled act be and the same is hereby amended to read as follows:

Section 11. That the Governor shall on the taking effect of this act appoint a State House engineer, who shall have charge of the heating apparatus of the State Capitol and all machinery

connected therewith, together with the elevators, and he shall have charge and at all times direct the opening and ventilation of the several departments, and shall have power, and it shall be his duty, to cause all necessary repairs to be made to all apparatus, machinery, plumbing, pipes, piping, ventilation and appliances in his charge, subject to the approval of the Auditor of State. The said State House engineer shall hold his office for the term of four years, subject to removal at any time by the Governor for cause.

The State House Engineer shall receive for his services the salary of fifteen hundred dollars (\$1,500) per year, payable out of any moneys not otherwise appropriated, which shall be paid by the proper vouchers, as the salaries of other State officers are paid. And he shall, before entering upon the discharge of his duties, qualify and execute and file with the Secretary of State a bond in the penal sum of five thousand dollars (\$5,000), conditioned for the faithful discharge of his duties, with sureties thereto to be approved by the Auditor of State. The said State House Engineer shall employ all necessary assistants in his department; the number, though, shall not exceed six persons, including one person to run the passenger elevator. The assistants of said engineer shall consist of persons skilled in the work they may be called upon to perform, and the compensation shall not exceed \$75 per month, excepting the elevator conductor, whose compensation shall not exceed \$40 per month, and the same shall be payable by the Treasurer of State on the 1st and 15th days of each month upon the warrant of the Auditor of State, but before such warrants are issued such engineer shall, under oath, make out a list of expenses incurred under this act, itemizing the same, with the names of the persons entitled to payment thereunder, and the amounts thereof, and the same shall be examined and approved by the Auditor of State; and the cost of all repairs made in this department shall in like manner be payable after approval of the same by the Auditor of State.

SEC. 6. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred House Bill No. 49, introduced by Mr. Hicks, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGG,  
Chairman.

Which report was concurred in.

Senate Bill No. 165 was then put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bozeman, Campbell, Collett, Duncan, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, Leich, Mull, New, Newby, O'Brien, Phares, Rinear, Self, Shea, Stroup, Sweeney, Wood. Total, 32.

Those voting in the negative were:

Senators Culbert, McCord, Shiveley. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gill introduced Senate Bill No. 373, entitled:

A bill for an act defining official corruption and attempted official corruption, and to regulate and control the issuing of free passes and the giving of free rides and reduced rates to State and county and municipal officers by railroad corporations, or persons in charge thereof, their agents and employes, and fixing penalties for violations of the provisions of this act.

Read first time and referred to the Committee on Judiciary.

Senator Gill introduced Senate Bill No. 374, entitled :

A bill for an act to allow the use of voting machines in town or city elections.

Read first time and referred to the Committee on Judiciary.

Senator Shiveley offered Senate Resolution No. 31 :

WHEREAS, The supply of printed copies of the rules of the Senate have been exhausted :

*Resolved*, That the Secretary of the Senate cause to be printed 200 copies of the same, and that one hundred copies of the edition be deposited with the State Librarian for the use of the Senate of the next General Assembly.

SHIVELEY.

Which resolution was adopted.

Senator Humphreys introduced Senate Bill No. 375, entitled :

A bill for an act regulating the visiting of schools by County Superintendents.

Read first time and referred to the Committee on Education.

Senator O'Connor introduced Senate Bill No. 376, entitled :

A bill for an act to amend section 15 of an act entitled an act to enable the owners of lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of County Commissioners and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified, and declaring an emergency, and approved April 21, 1881.

Read first time and referred to Committee on Judiciary.

Senator Nusbaum offered Senate Resolution No. 32, as follows :

MR. PRESIDENT :

*Be it Resolved*, That the committee appointed by the Senate to select ministers to pray for the Senate are hereby relieved from further duty for reasons which need no explanation.

W. H. NUSBAUM.

Which resolution was not adopted.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 321, introduced by Mr. Mull, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. R. Wood,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 291, introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following substitute for the original, and when so substituted that said bill do pass.

DUNCAN,  
Chairman.

The following substitute for Senate Bill No. 291:

A bill for an act to award a State's license to the graduates of schools having a course in pedagogy, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Board of Trustees of any college or university in this State having a course in pedagogy, which meets the requirements of the State Board of Education as to time, studies and teachers and is in every way equal to the course established by the State Normal School, is hereby authorized to grant, from time to time, certificates of proficiency to such teacher as shall have completed any of the prescribed courses of study, and whose moral character and disciplinary relations to the school shall be satisfactory. At the expiration of two years after graduation satisfactory evidence of professional ability to instruct and manage a school having been received by the State Board of Education, they



shall be entitled to diplomas appropriate to such professional degrees as the Trustees shall confer upon them, which diplomas shall be considered sufficient evidence of qualification to teach in any of the schools of this State.

Sec. 2. An emergency exists for the immediate taking effect of this act, the same shall be in full force from and after its passage.

Which report was concurred in.

Senator Gostlin, a member of the Committee on Affairs of the City of Indianapolis, made the following minority report:

MR. PRESIDENT:

The undersigned, a minority of the Committee on the Affairs of the City of Indianapolis, which has under consideration Senate Bill No. 61, can not agree to the report of the majority of the committee recommending the passage of the bill with certain amendments.

Under the Constitution of laws created, corporations must be general.

Article 11, Section 13: In the form recommended by the majority of the committee, the bill applies only to street railways in Indianapolis, and this, in my opinion, makes it unconstitutional. The bill in its original form applied to every street railway company in the State, and, while objectionable, it was not in violation, probably, of the Constitution.

If the bill should pass in the form recommended by the majority of the committee it could only be sustained as a general law by disregarding the limitation to cities of 100,000 inhabitants. If this view should be taken by the Courts, then the law would apply to all street railway companies in the State, and terminate their existence abruptly at the expiration of the time limits prescribed in the articles or contracts under which they were operated, and effect a transfer of their property to successor companies in the manner provided. If, however, it could be maintained that the law can stand as applicable only to the street railways of Indianapolis, then it still seems to me to be open to the objection that it violates the contract between the company now operating the street railway in said city and

the State; formed by its incorporation under the general act for the incorporation of street railway companies.

While the act reserves to the Legislature the right to amend or repeal, I don't think it is within the letter, and it is certainly not within the spirit of the reservation to pass the law which under the guise of an amendment repeals the law as to companies acting under it in said city.

That this is the purpose and effect of the law is obvious.

An act so framed violates both the Constitution of the State and of the United States, as impairing the obligation of the contract between the State and the company.

The assertion of the State of the right to so legislate under the power reserved to amend or repeal law, seriously affect investments, not only in street railway property, but in the stocks and other securities of all corporations formed under laws in which similar reservations are contracted.

Let the General Assembly once put itself on record as attempting to impair the obligation of contracts and confiscate property, it will thereby give notice to the world that Indiana is an unsafe place to invest capital, and capital will flee from us as from the plague.

If any company or companies may be destroyed to-day by the passage and enforcement of this law, a law of the same character may be enacted to-morrow, dealing in the same manner, or even more summarily, with the street railway company of Evansville, Fort Wayne, Terre Haute, or any other city or town in the State.

The general law for the incorporation of steam railroads reserves to the Legislature the right to amend or repeal the law. It is as competent for the Legislature under that reservation to destroy the Ohio & Mississippi Railroad Company, the Indianapolis & Vincennes Railroad Company, or any other particular railroad company it may single out, as it is by this bill to destroy the Citizens' Railway or any other company now operating in Indianapolis. Corporations have been organized under laws containing such reservations, and immense sums of money invested in their securities, because it has been supposed that the reservations authorized only amendments which would apply alike to all companies organized under the law. Or to all

of a class of such companies and only the repeal as an entirety or in its obligation to the class of companies formed under it.

If it is true that a particular company may be singled out and an amendment or repeal framed as to exclude that company from the benefits of the law, leaving it to stand in its original form as to all other companies, it is quite evident that the provisions of the Constitution requiring the creation and regulation of corporations to be of general laws, and forbidding the enactment of any law impairing the obligation of contracts may be easily evaded.

The bill, considered as purely local, should not be passed. Its only justification is the claim made by its advocates that the company now operating in Indianapolis violated its contract, by which it has the right to occupy the streets, the time to expire on the 18th day of January, 1901, and set up a claim to continue in operation in perpetuity.

While those representing that company argue to the committee that this contract was violated and repudiated by the city authorities before any denial of its obligation was made by the company, and the assertion of perpetual right was not made by the company until the city authorities, nearly eight years before the right of the company to the use of the streets until 1901, had expired.

Said authorities had let the contract to the new company to use the streets after the 18th day of January, 1894, and that company had threatened to take immediate possession of the streets which were in use by the old company, which, it is admitted, had a right to their occupancy until 1901.

This contention between the two railroad companies resulted in a suit being brought by the company occupying the streets, against the new company for an injunction, and the position maintained by the old company has so far been sustained by the courts.

It is this controversy now pending in the Supreme Court of the United States, and which will probably be decided in a few months, which seems to be the occasion of this bill. If passed and sustained by the courts, it will enable the city and the new company to call into execution the contract which was entered into in violation of the contract right as now virtually conceded

by everybody of the old company. It will forestall the decision of the Court by which the question as to whether the so-called old company had in fact violated its contract, and will be in effect a decision by the Legislature that the so-called old company is not entitled to the protection of the law as they now exist at the hands of the courts of justice.

The power of the Legislature should never be invoked to settle law questions pending in the courts. It is a well-established rule that the Legislature will never interfere for the purpose of determining the rights of persons or corporations while their rights are being made subjects of investigation by the courts at law.

Parties must elect whether, to ask redress through the Legislature or the Courts, and having once made that election, they should stand by it until they have got a final hearing and determination through whichever body they have sought redress.

If there was an urgent public necessity for legislation of the character proposed, the case might be different, but there is no occasion for any legislation at this time except to forestall the decision of the Court. If that decision should be against the company occupying the streets, its rights will terminate at the latest on the 18th day of January, 1901, the earliest moment at which this bill, if it becomes a law, will become operative.

If the decision is in favor of the company, the Legislature of 1899 will have the power to afford all relief that may be needed.

It is the duty of the General Assembly to respect and protect property rights, and it is not the province of this General Assembly to take the property of one person or company and turn it over to another company or persons.

I recognize this as being a fight chiefly between the company now occupying the streets and another company who wants to occupy the streets; and the rights of the parties being now in the Courts to be determined by the Court, I think we should leave it there until a final decision is had, and after that will be time enough for us to act; and the Legislature should not now take a part upon either side in a controversy in which the

people of this State have no interest further than is stated, that is, to protect the rights of persons generally in their property.

For the reason stated, I recommend that the bill and amendments thereto be indefinitely postponed.

W. H. GOSTLIN.

Senator New moved that the majority report on Senate Bill No. 61 be adopted.

Senator Wood moved to amend the motion of Senator New by making the adoption of the report on Senate Bill No. 61 a special order for 10:30 o'clock, Tuesday.

Senator Wood's motion was lost.

The question recurring on the motion of Senator New the motion was carried, and the majority report was concurred in.

On motion of Senator Shiveley the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## FRIDAY MORNING.

FEBRUARY 5, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by the Rev. Dr. Lucas, of Indianapolis.

The Journal of yesterday was ordered read.

After the reading of a portion of the Journal, the further reading was dispensed with on motion of Senator Bobilya.

The roll was then called for the reports of standing committees.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 263, introduced by Senator Horner, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be referred to the Committee on Cities and Towns.

HUBBELL,  
Chairman.

Which report was concurred in.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 262, introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUBBELL,  
Chairman.

Which report was concurred in.

The roll was then called for the presentation of memorials, resolutions and remonstrances.

Senator O'Brien offered the following resolution, No. 33:

*Resolved*, That the Auditor of State be requested to report to the Senate on or before the 11th day of February, 1897, what amounts have been drawn from the State Treasury on warrants from the Auditor from 1867 to 1897, both inclusive, by the State University, the State Normal School and the Purdue University, respectively, giving the same by years.

J. O'BRIEN.

Which resolution was read and adopted.

The roll was then called for the introduction of bills.

Senator Gill introduced Senate Bill No. 377, entitled :

A bill for an act to amend sections 3369 3370 and repeal section 3371 of the R. S. of 1881 relating to the power and authority of boards of trustees of incorporated towns, and matters relating thereto, and repealing *pro tanto* all laws in conflict therewith.

Read first time and referred to the Committee on Cities and Towns.

Senator Johnson of Madison introduced Senate Bill No. 378, entitled :

A bill for an act creating a commission with authority to sell certain lands of the State of Indiana, prescribing the terms within which such sales shall be made, providing for the making of a deed of conveyance of such lands, prescribing the duties of certain State officers in connection with such sales, providing for the disposition of the proceeds of such sale, and declaring an emergency.

Read the first time and referred to the Committee on Public Buildings.

Senator New introduced Senate Bill No. 379, entitled :

A bill for an act concerning elections and the taking of polls and providing penalties for its violation.

Read first time and referred to the Committee on Elections.

Senator Bobilya introduced Senate Bill No. 380, entitled :

A bill for an act making it unlawful for any person to put up at or procure accommodation, food or entertainment at any hotel, inn or boarding house without paying for the same, and providing a penalty for the violation thereof.

Read first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 381, entitled :

A bill for an act authorizing the Trustees of Indiana University to dispose of and make transfers of certain real estate and to invest the proceeds thereof, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Hawkins, Chairman of the Committee on Legislative Apportionment, made the following report :

MR. PRESIDENT :

Your Committee on Legislative Apportionment, to which was referred Senate Bill No. 46, introduced by Mr. Hogate, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

HAWKINS,  
Chairman.

Which report was concurred in.

Senator Hawkins, Chairman of the Committee on Legislative Apportionment, made the following report :

MR. PRESIDENT :

Your Committee on Legislative Apportionment, to which was referred Senate Bill No. 150, introduced by Mr. Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the bill herewith submitted be substituted for said Senate Bill No. 150, and that when so substituted that the bill do pass.

HAWKINS,  
Chairman.

Substitute Senate Bill No. 150 :

An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict herewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana, That the General Assembly shall consist of fifty Senators and one hundred Representatives.*



**SEC. 2.** The Senators shall be apportioned among the several counties as follows, to wit:

Posey and Gibson, one Senator.

Vanderburgh, one Senator.

Vanderburgh, Warrick and Pike, one Senator.

Spencer, Perry and Crawford, one Senator.

Dubois and Daviess, one Senator.

Harrison and Floyd, one Senator.

Washington and Jackson, one Senator.

Clark, Scott and Jennings, one Senator.

Jefferson, Ripley and Switzerland, one Senator.

Franklin, Dearborn and Ohio, one Senator.

Bartholomew and Decatur, one Senator.

Green, Monroe and Brown, one Senator.

Martin, Lawrence and Orange, one Senator.

Knox and Sullivan, one Senator.

Vigo, one Senator.

Clay and Owen, one Senator.

Putnam and Montgomery, one Senator.

Hendricks and Boone, one Senator.

Marion, three Senators.

Marion and Morgan, one Senator.

Johnson and Shelby, one Senator.

Madison, one Senator.

Madison, Hancock and Rush, one Senator.

Henry, Fayette and Union, one Senator.

Wayne, one Senator.

Randolph and Jay, one Senator.

Delaware, one Senator.

Hamilton and Tipton, one Senator.

Grant, one Senator.

Grant, Blackford and Wells, one Senator.

Allen, one Senator.

Allen and Adams, one Senator.

Huntington and Whitley, one Senator.

Wabash and Fulton, one Senator.

Miami and Howard, one Senator.

Clinton and Carroll, one Senator.

Tippecanoe, one Senator.

Fountain, Warren and Benton, one Senator.

New, Jasper and White, one Senator.

Cass and Pulaski, one Senator.

Lake and Porter, one Senator.

Laporte and Stark, one Senator.

St. Joseph, one Senator.

Marshall and Kosciusko, one Senator.

Elkhart, one Senator.

Lagrange and Noble, one Senator.

Steuben and Dekalb, one Senator.

SEC. 3. The Representatives shall be apportioned among the several counties, to wit :

Posey, one Representative.

Vanderburgh, two Representatives.

Gibson, one Representative.

Knox, one Representative.

Vanderburgh, Gibson and Knox, one Representative.

Warrick, one Representative.

Spencer, one Representative.

Perry and Crawford, one Representative.

Harrison, one Representative.

Floyd, one Representative.

Clark, one Representative.

Floyd, Clark and Washington, one Representative.

Scott and Jennings, one Representative.

Jefferson, one Representative.

Ohio and Switzerland, one Representative.

Dearborn, one Representative.

Ripley, one Representative.

Jackson, one Representative.

Lawrence, one Representative.

Martin and Orange, one Representative.

Dubois and Pike, one Representative.

Daviess, one Representative.

Sullivan, one Representative.

Greene, one Representative.

Monroe and Brown, one Representative.

Bartholomew, one Representative.

Decatur, one Representative.

Franklin and Union, one Representative.

Rush, one Representative.

Shelby, one Representative.

Johnson, one Representative.

Morgan, one Representative.

Clay, one Representative.

Clay and Owen, one Representative.

Vigo, two Representatives.

Vigo and Vermillion, one Representative.

Parke, one Representative.

Putnam, one Representative.

Hendricks, one Representative.

Marion, seven Representatives.

Marion and Hancock, one Representative.

Henry, one Representative.

Wayne, one Representative.

Wayne and Fayette, one Representative.

Randolph, one Representative.

Jay, one Representative.

Randolph, Jay and Blackford, one Representative.

Delaware, two Representatives.

Madison, two Representatives.

Hamilton, one Representative.

Boone, one Representative.

Montgomery, one Representative.

Madison, Hamilton, Boone and Montgomery, one Representative.

Fountain, one Representative.

Tippecanoe, one Representative.

Tippecanoe and Warren, one Representative.

Clinton, one Representative.

Clinton and Tipton, one Representative.

Carroll, one Representative.

Grant, two Representatives.

Howard, one Representative.

Miami, one Representative.

Wabash, one Representative.

Huntington, one Representative.

Grant, Howard, Miami, Wabash and Huntington, one Representative.

Wells, one Representative.

Adams, one Representative.

Allen, three Representatives.

Kosciusko, one Representative.

Kosciusko and Whitley, one Representative.

Cass, one Representative.

Cass and Fulton, one Representative.

White and Pulaski, one Representative.

Benton and Newton, one Representative.

Lake, one Representative.

Lake and Jasper, one Representative.

Porter, one Representative.

Laporte, one Representative.

Laporte and Starke, one Representative.

Marshall, one Representative.

St. Joseph, two Representatives.

Elkhart, two Representatives.

Noble, one Representative.

Dekalb, one Representative.

Lagrange and Steuben, one Representative.

Which report was concurred in.

Senator Hugg presented a memorial of the Indianapolis Ministers' Association, in which the Anglo-American arbitration treaty now pending in the National Congress is favored, and the State Senators are requested to use their influence on the National Senators from Indiana to have them vote for the ratification of the treaty.

Which memorial was referred to the Committee on Federal Relations.

Senator Alexander called up Senate Bill No. 65.

The bill was read a second time.

Senator Hawkins offered Amendment No. 1:

MR. PRESIDENT:

I move to amend section 2 by inserting the words "voucher or register" after the word "stubs" in line 3 of section 2 of the printed bill, and to amend section three (3) by inserting the words "voucher or register" after the word "stub" in line 4 of section 3 of the printed bill.

HAWKINS.

Which amendment was adopted.

Senator Nusbaum offered the following amendment, No. 2:

MR. PRESIDENT:

I move to amend Senate Bill No. 65 by striking out all of section 7 of said bill.

NUSBAUM.

Senator Ball moved to recommit the bill to the committee which reported it.

Motion lost.

The question recurring on the adoption of Amendment No. 2 on a division of 14 in the affirmative to 9 in the negative.

The amendment was adopted.

Senator Bobilya offered Amendment No. 3:

MR. PRESIDENT:

I move to amend Senate Bill No. 65 as follows:

Strike out in line 2, section 6, of the printed bill, the words "two years" and insert the words "sixty days".

BOBILYA.

Which amendment was adopted.

Senator Hawkins offered Amendment No. 4 to Senate Bill No. 65:

MR. PRESIDENT:

I move to amend section 3 by inserting the words "or special" after the word "regular" in line 4.

HAWKINS.

Which amendment was adopted by a division of 21 in the affirmative to 8 in the negative.

Senator Duncan offered Amendment No. 5:

MR. PRESIDENT:

I move to amend Senate Bill No. 65, by adding the following section:

SEC. 8. Section 5770 of the Revised Statutes of 1881 is hereby repealed.

DUNCAN.

Which amendment was adopted.

Senator Houghton offered Amendment No. 6:

MR. PRESIDENT:

I move to amend Senate Bill No. 65, by inserting the words "or special" after the word "regular" in line 8 of section 3.

HUGHTON.

Which amendment was adopted, and the bill, together with the amendments, was ordered engrossed.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 36, 73, 77 and 97, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 15, 171, 188 and 367, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Act No. 325, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 36, entitled:

An act to provide for the revision of the laws of the State of Indiana in relation to municipal corporations, including counties, civil and school township, cities and towns and all others, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 77, entitled :

A bill for an act to prohibit the assessment to the adjacent property holders of real estate occupied by any railroad company or public highway, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Agriculture.

Engrossed House Bill No. 97, entitled :

A bill for an act to prevent the destruction of quail, ruffed grouse and pinnated grouse.

Read first time and referred to Committee on Federal Relations.

Engrossed House Bill No. 73, entitled :

A bill for an act to provide for the transaction of business in cases of vacancy in the office of judge, or in case of the inability or disqualification of judge to act, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senate Bill No. 185 was taken up as the special order for 11 o'clock.

Senator Shea offered the following amendment to Senate Bill No. 185.

I move to amend section 4, line 3, by striking out the word "three" and inserting in lieu thereof the word "thirty."

SHEA.

Which amendment was lost by a division of 15 in favor of the amendment to 23 against it.

The bill was then ordered engrossed.

The consideration of bills on second reading was resumed.

Senator Ball called up Senate Bill No. 106.

The bill was read a second time by title and ordered engrossed.

Senator Bethell called up Senate Bill No. 71.

Which was read a second time by title and ordered engrossed.



Senator Bobilya called up Senate Bill No. 40.

Which was read a second time and ordered engrossed.

Senator Duncan called up Senate Bill No. 176.

Which was read a second time by title and ordered engrossed.

Senator Johnson of Madison introduced Senate Bill No. 382, by request, entitled:

A bill for an act to amend sections one (1), five (5), six (6), ten (10) and twelve (12) of an act approved February 27, 1895, entitled an act to establish a Superior Court in the county of Madison, defining its authority and jurisdiction, providing for the appointment, election and compensation of the Judge thereof, and providing for a vacancy in the office of Judge of said court, repealing all laws in conflict herewith and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator Hogate introduced Senate Bill No. 383, entitled:

A bill for an act concerning attorneys' fees in claims filed against decedents' estates, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Ellison introduced Senate Bill No. 384, entitled:

A bill for an act to establish a Board of Education in each civil township in this State, providing for their appointments, and defining their powers and duties.

Read first time and referred to the Committee on Education.

Senator Early called up Senate Bill No. 204.

Which was read a second time.

Senator Nusbaum offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 204 by striking out the word "four" in section 1 and line 6, and insert the word "second."

NUSBAUM.

Which amendment was lost, and the bill was ordered engrossed.

Senator Ellison called up Senate Bill No. 206.

Which was read a second time and ordered engrossed.

Senator Gilbert called up Senate Bill No. 281.

Which was read a second time by title and ordered engrossed.

Senator Gochenour called up Senate Bill No. 260.

Which was read a second time and ordered engrossed.

Senator Goodwine called up Senate Bill No. 207.

Which was read a second time and ordered engrossed.

Senator Hogate called up Senate Bill No. 301.

Which was read a second time and ordered engrossed.

Senator Horner called up Senate Bill No. 154.

Which was read a second time and ordered engrossed.

Senator Hugg called up Senate Bill No. 155.

Senator Hogate offered Amendment No. 1 :

I move the following amendment to Senate Bill No. 155 :  
Strike from line 6, section 1, the words " the defense of."

HOGATE.

Which amendment was adopted.

Senator Duncan offered Amendment No. 2 :

I move to strike out of Senate Bill No. 155 "personal injury in," in line 3 of section 1, "or such other person," in line 7, section 1, of printed bill.

DUNCAN.

Senator Hubbell moved that the Senate adjourn.

Which motion prevailed, and the Senate adjourned.

## FRIDAY AFTERNOON.

FEBRUARY, 5, 1897.

The Senate reconvened at 2 o'clock p. m., with Lieutenant-Governor Haggard in the chair.

The consideration of Senate Bill No. 155 and Senator Duncan's amendment thereto was resumed.

Senator Shiveley offered the following substitute for Senator Duncan's amendment.

MR. PRESIDENT :

I move to substitute the following in place of Amendment No. 2, offered by Senator Duncan :

Substitute in section 1 of Senate Bill No. 155, by adding to the end of said section the following: "*Provided*, That this section shall apply only to actions where death has occurred, or when the plaintiff is incompetent or incapacitated to testify."

SHIVELEY.

The question being on the adoption of Senator Shiveley's substitute for Senator Duncan's amendment.

Senator Hogate demanded the ayes and noes.

A roll-call was ordered.

Those voting in the affirmative were :

Senators Early, Goodwine, Houghton, LaFollette, Newby and Shiveley. Total, 6.

Those voting in the negative were :

Senators Alexander, Ball, Bobilya, Campbell, Culbert, Drummond, Duncan, Ellison, Gilbert, Gill, Gostlin, Hawkins, Hogate, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, McCord, Mull, New, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Stroup, Sweeney and White. Total, 32.

So the substitute of Senator Shiveley was lost.

The question being on the adoption of Senator Duncan's amendment.

The ayes and noes were demanded by Senator Hugg.

Those voting in the affirmative were:

Senators Bobilya, Culbert, Duncan, Early, Gostlin, Houghton, Johnson of Madison, LaFollette, McCord, Newby, Nussbaum, White. Total, 12.

Those voting in the negative were:

Senators Alexander, Ball, Campbell, Drummond, Ellison, Gilbert, Gill, Gochenour, Hawkins, Hogate, Horner, Hubbell, Hugg, Humphreys, Johnson of Dearborn, Kerns, Mull, New, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney. Total, 27.

So the amendment was not adopted.

And the bill was ordered engrossed.

Senator Ellison asked that leave of absence be granted to the Prison Committee. There being no objection the request was granted.

Senator Early asked for leave of absence until Monday, which was granted.

Senator Johnson called up Senate Bill No. 266.

The bill was read a second time and ordered engrossed.

Senator LaFollette called up Senate Bill No. 182.

The bill was read a second time by title and ordered engrossed.

Senator McCord called up Senate Bill No. 60.

Which was read a second time and ordered engrossed.

Senator Mull called up Senate Bill No. 285, which was read a second time by title.

Senator Mull offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 235 by substituting for the words "by any assignee, receiver or trustee," in line two of section one of said bill, the following : "by any receiver or by any assignee or trustee."

MULL.

Which amendment was adopted.

And the bill was ordered engrossed.

Senator O'Brien called up Senate Bill No. 254 for second reading.

The bill was read a second time by title and ordered engrossed.

Senator Phares called up Senate Bill No. 139.

The bill was read a second time by title and ordered engrossed.

Senator Self called up Senate Bill No. 268, which was read a second time by title and ordered engrossed.

Senator New called up Senate Bill No. 199.

The bill was read a second time and ordered engrossed.

Senator Johnson of Madison moved that when the Senate adjourned it adjourn until Monday morning.

Which motion was afterwards withdrawn.

Senator Hogate moved that Senate Bill No. 102 be made a special order for 10 o'clock next Thursday.

Which motion prevailed.

Senator Holler, Chairman of the Committee on Prisons, made the following report :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred Senate Bill No. 210, the same being a bill for an act to establish a female prison, etc., introduced by Senator Holler by request,

has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Hogate moved that when we adjourn we adjourn until Monday morning.

Which motion prevailed on a division by which 17 voted in the affirmative and 8 in the negative.

Senator Gilbert introduced Senate Bill No. 385, entitled:

A bill for an act to fix the salary of the Adjutant-General and Quarter-Master-General, and to provide for the appointment of a stenographer and typewriter by the Adjutant-General.

Read first time and referred to the Committee on Fees and Salaries.

On motion of Senator Hubbell, the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## MONDAY MORNING.

FEBRUARY 8, 1897.

The Senate convened at 10 o'clock, with Lieutenant-Governor Haggard in the chair.

After a portion of the Journal was read, on motion of Senator Nusbaum, the further reading of the same was dispensed with.

The roll was called for the reports of standing committees.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred Senate Bill No. 76, introduced by Senator Gostlin, has had the same under consideration, and begs leave report the same back to the Senate with the recommendation that said bill be referred to the Committee on Railroads.

HUBBELL,  
Chairman.

Which report was concurred in.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred Senate Bill No. 345, introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUBBELL,  
Chairman.

Which report was concurred in.

Senator Holler presented a petition, signed by numerous citizens and tax-payers of Starke and St. Joseph Counties, praying that the Legislature do not pass Senate Bill No. 220.

The petition was read and referred to the Committee on Judiciary.

The roll was ordered called for the introduction of bills.

Senator Horner introduced Senate Bill No. 386, entitled :

A bill for an act concerning street, alley and sidewalk improvements in cities having less than thirty-one thousand population according to the last preceding United States census, providing how the cost of such street and alley improvement shall be apportioned, assessed and paid, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Hubbell, by request, introduced Senate Bill No. 387, entitled :

A bill for an act to require all corporations existing, or claiming to exist, under special charters granted to them by the State of Indiana, to file notice of their existence and of the charter under which they are acting with the Secretary of State, providing for the payment of the fees and charges therefor, providing penalties for failure to comply with the act and for the enforcement of such penalties and declaring an emergency.

Read first time and referred to the Committee on Corporations.

Senator Self introduced Senate Bill No. 388, entitled :

A bill for an act to amend section thirty-two (32) of an act entitled an act providing for the organization of County Boards and prescribing some of their powers and duties, approved June 17, 1852, the same being section 5773 of the Revised Statutes of the State of Indiana.

Read the first time and referred to the Committee on County and Township Business.

Senator Shiveley introduced Senate Bill No. 389, entitled :

A bill for an act regulating visiting at the hospitals for the insane, authorizing the Medical Superintendents of said hospitals to prescribe rules concerning visitors, and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator LaFollette introduced Senate Bill 390, entitled :

A bill for an act to amend section ten (10) of an act entitled an act for the prevention of frauds and perjuries, and requiring certain contracts to be in writing, and declaring certain conveyances, assignments, contracts and mortgages void, approved June 9, 1852, and being section 4913 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.



Senator LaFollette introduced Senate Bill No. 391, entitled :

A bill for an act to amend section sixty-seven (67) of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891.

Read the first time and referred to the Committee on Finance.

Senator LaFollette introduced Senate Bill No. 392, entitled :

A bill for an act to amend sections three (3) and four (4) of an act entitled an act to amend section four (4), forty-nine (49), fifty (50), fifty-three (53) and fifty-nine (59) of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency, approved February 23, 1895.

Read the first time and referred to the Committee on Finance.

Senator Holler, by request, introduced Senate Bill No. 393, entitled :

A bill for an act to regulate the business of telephone and stethephone companies, defining their powers and duties, providing penalties for non-compliance, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

The roll was called for bills on second reading.

Senator Early called up Senate Bill No. 359.

The bill was read a second time by title and ordered engrossed.

Senator Ellison moved that Senate Bill No. 117 be made a special order for two o'clock Tuesday.

Which motion prevailed.

Senator Horner called up Senate Bill No. 308.

The bill was read a second time by title and ordered engrossed.

Senator Hugg called up Senate Bill No. 264.

The bill was read a second time by title.

Senator Hugg offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 264 by striking out the figures \$1,736.51 in line three and inserting in lieu thereof the figures \$1,644.17.

HUGG.

Which amendment was adopted and the bill ordered engrossed.

Senator Humphreys called up Senate Bill No. 300.

Which was read a second time and ordered engrossed.

Senator Mull called up Senate Bill No. 321.

Which was read a second time by title and ordered engrossed.

Senator Nusbaum called up Senate Bill No. 82.

Which was read a second time by title and ordered engrossed.

Senator Self called up Senate Bill No. 255.

Which was read a second time by title and ordered engrossed.

Senator Shiveley called up Senate Bill No. 305.

Which was read a second time by title and ordered engrossed.

Senator White called up Senate Bill No. 302.

The bill was read a second time by title and ordered engrossed.

Senator Wood called up Senate Bill No. 24.

Which was read a second time and ordered engrossed.

Senator Collett called up Senate Bill No. 4.

Which was read a second time by title and ordered engrossed.

Senator Hogate called up Senate Bill No. 290.

The bill was read a second time by title.

Senator Hogate offered Amendment No. 1:

MR. PRESIDENT:

I move to amend Senate Bill No. 290 by inserting the words, "other streams" after "ponds" in line 4, section 3.

HOUGHTON.

Which amendment was adopted.

Senator Ellison offered Amendment No. 2 :

MR. PRESIDENT :

I move to amend Senate Bill No. 290 by striking out section 1.

ELLISON.

Which amendment was adopted.

Senator Hogate offered Amendment No. 3 :

MR. PRESIDENT :

I move to amend Senate Bill No. 290 as follows :

Amend section 2 as follows :

Add the words at the beginning of the section, "Be it enacted by the General Assembly of the State of Indiana".

HOGATE.

Which amendment was adopted.

Senator Drummond offered Amendment No. 4 :

MR. PRESIDENT :

I move to amend Senate Bill No. 290 by striking out section 3.

DRUMMOND.

Which amendment was adopted.

Senator Hogate moved that the enacting clause of Senate Bill No. 290 be stricken out.

The motion prevailed.

Senator Bozeman called up Senate Bill No. 279.

The bill was read a second time and ordered engrossed.

Senator Hawkins called up Senate Bill No. 311.

Which was read a second time and ordered engrossed.

Senator Hogate called up Senate Bill No. 262.

Which was read a second time by title and ordered engrossed.

Senator O'Brien called up Senate Bill No. 337.

Which was read a second time and ordered engrossed.

The following report was made by the Attorney-General on the Vandalia investigation :

INDIANAPOLIS, IND., February 8, 1897.

*Hon. William S. Haggard, Lieutenant-Governor, and the Senate of Indiana :*

I have the honor to report that in compliance with an act approved January 27, 1897, being House Bill No. 343, I caused notice of said bill and a demand for the making and furnishing of the statement required to be served upon said Terre Haute & Richmond Railroad Company, and said Terre Haute & Indianapolis Railroad Company, by delivering a copy thereof to William R. McKeen, a director of the Terre Haute & Richmond Railroad Company, he being the only surviving director within the State of Indiana, and there being no officer, agent or employe of said road found in said State, after diligent inquiry ; and by delivering a copy thereof to George E. Farrington, the Secretary of the Terre Haute & Indianapolis Railroad Company, the President of said road being absent from said State, and said Farrington being the highest officer of said road within the State ; and also by publishing a copy of said notice for three days successively in the *Indianapolis News*, a newspaper of general circulation published in the city of Indianapolis, the publication being upon the 27th, 28th and 29th days of January, and also by publishing a copy of said notice in the *Daily Express*, of Terre Haute, the same being a newspaper of general circulation printed and published in the city of Terre Haute, and the publication having been made on the 29th, 30th and 31st of January. A copy of the notices so served upon said parties and so published is attached hereto, designated as "Exhibit A."

On the 28th day of January, 1897, I also caused notice to be served upon Volney T. Malott, Receiver of the Terre Haute & Indianapolis Railroad, appointed by the Circuit Court of the United States, within and for the District of Indiana, in the cause of Mark T. Cox *et. al. vs. The Indianapolis & Terre Haute Railroad Company*, No. 9395 Chancery, having first obtained leave of the United States Circuit Court to make such service upon said Receiver. To do so I was compelled to send my deputy to Chicago to obtain permission from Judge Woods. I file herewith, as part of this report, a copy of the notice so

served upon Mr. Malott and designated the same as "Exhibit B." In making such service I paid the traveling expenses of my deputy, amounting to \$24.26; the charges for the publication in the Indianapolis News, amounting to \$15.36, and the Terre Haute Express to \$14; total expenses of such service being \$53.62. Proof of such service is on file in my office.

Shortly before six o'clock Saturday evening, February 6, 1897, I received from the Terre Haute & Indianapolis Railroad Company, by James McCrea, its President, a statement, a copy of which is hereby submitted as "Exhibit C." I also received from him a statement in tabular form of the details, by years, of the above statement, a copy of which, as tables 1 to 6 inclusive, I submit herewith. I have received no report either from the Terre Haute & Richmond Railroad Company, except as contained in the above, and no report whatever from the Receiver of the road.

It appears from Mr. McCrea's statements that they are taken wholly from the published annual reports of the companies, and are made wholly upon information. It is explained that he has not had access to the books and papers, as they are in the possession of the Receiver.

In the limited time that has elapsed since these statements came to my hands I have had no opportunity to make any extended analysis of them or the figures that they profess to give, and I presume that, in any event, the proper course would be that they should be printed for the information of the General Assembly, and be referred to the Joint Committee for its examination, report and recommendation to the General Assembly.

It may not be improper for me to add, however, that it has not been my understanding of the complaint against the road that it had so made its published reports as to show a plain and distinct right in the State or its school fund, but rather that it had so made its books and reports as to conceal from the public and the General Assembly the true condition of its receipts and expenditures in order to prevent any legislation affecting or any enforcement of the rights of the State, and, under such circumstances, such rights could not well be determined by a simple examination of a statement made upon hearsay evidence in the second degree by an officer who had

not been a participant in the management and who has no accession to the original books and papers of the road, because of the fact that the road is in the hands of a Receiver.

From the cursory examination that I have been able to give to the statement, it appears from it:

a. That the expenses of construction ceased with a total expenditure of \$1,611,450 in 1856.

b. That it was not until 1866 that the net earnings from the operation of the road equaled the total original cost of the construction, with interest thereon at the rate of 10 per cent. per annum, viz.: Net receipts, \$4,037,443.37; construction expenses with interest, \$3,928,429.59. So that the receipts were then \$109,013.78 in excess of the cost of construction and 10 per cent. per annum thereon.

c. That the total stock outstanding was claimed to be \$1,988,150; but of this amount \$588,300 represents the stock dividend described in section 23 of its charter, only \$1,399,850 should be treated as stock entitled to receive the 15 per cent. dividend per annum before payment of the excess to the Treasurer of State for the use of common schools from 1867 to the time in 1873 when the road accepted the general railroad laws of the State, the net receipts for each year over and above a 15 per cent. dividend upon such stock would amount to quite a large sum wholly independent of what might appear upon a recasting of the accounts and an elimination of all the improper charges and credits, if such should be found.

From the fact that immediately following these two stock dividends the net receipts appear to have fallen off quite perceptibly, it is not unreasonable to infer that these stock dividends were declared and the earnings exported in order to postpone or prevent the State from so regulating the tolls as to produce a revenue for the school fund.

I submit the statements with the recommendation that they be printed for the information of the General Assembly and referred to the joint committee for the purpose of examination and such further action as it may recommend.

I have the honor to be,

WILLIAM A. KETCHAM,

Attorney-General.

## EXHIBIT A.

*To the Terre Haute & Richmond Railroad Company and the Terre Haute & Indianapolis Railroad Company :*

You and each of you are hereby notified that under the terms of an act of the General Assembly of the State of Indiana, entitled an act to require the Terre Haute & Richmond Railroad Company and the Terre Haute & Indianapolis Railroad Company, pursuant to the provisions of section 23 (twenty-three) of an act entitled an act to incorporate the Terre Haute & Richmond Railroad Company, approved January 26, 1847, to furnish the Legislature with a correct statement of the amount of expenditures and the amount of profits, after deducting all expenses of the Terre Haute & Richmond Railroad Company and the Terre Haute & Indianapolis Railroad Company from the 26th day of January, 1847, to the 17th day of January, 1873, and declaring an emergency, approved January 27, 1897, that you and each of you are hereby required to make and file with me, as Attorney-General of the State of Indiana, for the use of the General Assembly thereof, on or before the 6th day of February, 1897, a statement under oath of the President of your company, and of each of said companies, which statement must show :

1. The amount of expenditures in the construction and operation of said roads from the 26th day of January, 1847, to the 17th day of January, 1873, inclusive.

2. The total amount of receipts during said period.

3. The total amount of profits in the operation of said roads during said periods.

4. The detail of the expenditures :

(a) In the construction of said road.

(b) In the operation thereof during the corresponding period.

5. What disposition has been made of the profits :

(a) By way of dividends declared and paid from time to time.

(b) By way of reinvestments or other disposition.

You are further notified that by said act, it is made my duty, as such Attorney-General, to serve notice thereof upon you and demand the making and furnishing of such statement.

Pursuant to said act I now, on behalf of the General Assembly of the State of Indiana, do hereby demand of you that you proceed to make and deliver to me, for the use of the General Assembly, the statement above described, on or before the 6th day of February, 1897, and of this demand and of the requirements of said statute you will take notice, and govern yourselves accordingly.

WILLIAM A. KETCHAM,  
Attorney-General of the State of Indiana.

INDIANAPOLIS, January 27, 1897.

I hereby acknowledge service of the above and foregoing notice, this — day of January, 1897.

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EXHIBIT B.

*To Volney T. Malott:*

Receiver of the Terre Haute & Indianapolis Railroad Company, under and by virtue of the appointment of the Circuit Court of the United States, in the case of Mark T. Cox et al. vs. the Terre Haute & Indianapolis Railroad Company, being cause No. 9395 in Chancery:

You are hereby notified that under and pursuant to an act of the General Assembly of the State of Indiana, entitled an act to require the Terre Haute & Richmond Railroad Company and the Terre Haute & Indianapolis Railroad Company, pursuant to the provisions of section twenty three (23) of an act entitled an act to incorporate the Terre Haute & Richmond Railroad Company, approved January 26, 1847, to furnish the Legislature with a correct statement of the amount of expenditures and the amount of profits, after deducting all expenses of the Terre Haute & Richmond Railroad Company and the Terre Haute & Indianapolis Railroad Company, from the 26th day of January, 1847, to the 17th day of January, 1873, and declaring an emergency, approved January 27, 1897.



That the duty has been imposed upon me as Attorney-General of the State of Indiana, to demand of the Terre Haute & Indianapolis Railroad Company and the Terre Haute & Richmond Railroad Company the statement specified in said act of the General Assembly.

Inasmuch as you are, as such receiver, in possession and control of the books and papers of said railroad companies, without which such statement can not well be made, if it can be made at all, by the officers of said companies, on behalf of the State of Indiana and of its General Assembly, I hereby demand that you do have said Terre Haute & Indianapolis Railroad Company, on or before the 6th day of February, 1897, make and deliver to me, as Attorney-General of the State of Indiana, for the use and benefit of the General Assembly thereof, the statement provided for in and required by said act of the General Assembly.

WILLIAM A. KETCHAM,  
Attorney-General of Indiana.

I hereby acknowledge service of the above and foregoing notice, this 28th day of January, 1897.

[Signed]

VOLNEY T. MALOTT,  
Receiver.

#### EXHIBIT C.

#### *Terre Haute & Indianapolis Railroad Company.*

Statement made up from annual reports of Terre Haute & Indianapolis Railroad Company as published, showing the amount of expenditures in the construction and operation of that company's railroad from the 26th day of January, 1847, to the 17th day of January, 1873, inclusive, together with the total amount of receipts of said company, the profits from operation, with details of the expenditures for construction and operation, and the disposition made of the profits during the period named above, forty-eight days from December 1, 1872, to January 17, 1873, being estimated.

1. Expenditures in construction and operation..\$12,933,508 89
2. Receipts from transportation and investments ..... 15,343,143 91

3. Profits from operation.....	\$5,253,189	21
Add amount of expenditures for construction which was charged to operating expenses, and for which amount a stock dividend was declared in 1864.....	376,700	00
Total profits .....	\$5,629,889	21
4. Details of expenditures—		
(a) Construction.....	\$2,843,354	19
(b) Operation .....	10,089,954	70
Total expenditures.....	\$12,933,308	89
5. Disposition of profits—		
(a) By way of dividends.....	\$4,067,167	09
Stock dividend in 1864.....	376,700	00
Total dividends .....	\$4,443,867	09
(b) By way of reinvestment or other disposition .....	1,186,022	12
Total .....	\$5,629,889	21

The amount of \$1,186,022.12 was invested as follows :

In construction.....	\$19,169	19
In securities of other companies .....	1,366,429	48
In current assets .....	42,858	13
Total assets .....	\$1,428,450	00
Less bills payable outstanding .....	242,428	68
Total as above.. .....	\$1,186,022	12

STATE OF PENNSYLVANIA, }  
COUNTY OF ALLEGHENY. } ss.

James McCrea, being duly sworn, deposes and says that he is President of the Terre Haute & Indianapolis Railroad Company, that as such President, and in compliance with an act passed by the General Assembly of the State of Indiana, about January 25, 1897, he has caused a careful examination to be made from the published annual reports of the Terre Haute &

Indianapolis Railroad Company covering the period between January 26th, 1847, and the 17th day of January, 1873 (affiant not having access to the original books and papers of the company, the same being in the hands of a receiver appointed by the United States Circuit Court for the District of Indiana), for the purpose of ascertaining the amount of expenditure in the construction and operation of the Terre Haute & Indianapolis Railroad from the 26th day of January, 1847, to the 17th day of January, 1873, inclusive; also, the total amount of receipts of said company, profits from operation, with details of the expenditure for construction and operation, and the disposition made of the profits during the period named above; that the results of such investigation are embodied in the statement hereto attached and marked "Exhibit A," and affiant further says that said statement contains a just, full and accurate account of the various items enumerated therein, as derived from said published annual reports, to the best of his information and belief.

JAMES MCCREA.

Sworn to and subscribed before me this 5th day of February, A. D. 1897.

[SEAL]

I. M. McKIBBEN,  
Notary Public.

### TABLE No. 1.

Expenditures in construction and operation by years:

1849.....	\$102,911 12
1850.....	1,128,256 09
1851.....	716,137 07
1852.....	435,678 30
1853.....	222,207 45
1854.....	155,251 37
1855.....	176,030 00
1856.....	298,224 57
1857.....	298,398 54
1858.....	219,130 00
1859.....	200,133 65
1860.....	213,404 54
1861.....	196,252 38
1862..	246,335 17

1863.....	\$475,947 86
1864.....	1,038,195 73
1865.....	917,057 78
1866.....	756,781 50
1867.....	870,206 47
1868.....	772,898 27
1869.....	1,161,118 28
1870.....	1,314,794 83
1871.....	784,506 16
1872.....	1,067,887 75
1873.....	161,069 00
<b>Total .....</b>	<b>\$1,933,808 89</b>

TABLE No. 2.

Total amount of receipts from transportation and investments :

1852.....	\$105,943 87
1853.....	177,975 97
1854.....	289,992 96
1855.....	287,512 54
1856.....	544,280 10
1857.....	486,128 71
1858.....	380,649 49
1859.....	358,119 33
1860.....	404,771 36
1861.....	385,486 12
1862.....	597,697 11
1863.....	789,987 13
1864.....	1,035,190 91
1865.....	1,274,594 05
1866.....	1,083,694 80
1867.....	5,134,539 84
1868.....	1,180,385 96
1869.....	1,279,043 33
1870.....	1,171,526 53
1871.....	1,119,144 22
1872.....	1,150,112 58
1873.....	156,367 00
<b>Total.....</b>	<b>\$15,843,143 91</b>

TABLE No. 3.

## Total amount of profit in operation by years:

1852.....	\$45,860 05
1853.....	63,895 71
1854.....	114,537 55
1855.....	148,327 32
1856.....	355,338 84
1857.....	187,730 17
1858.....	161,591 43
1859.....	157,985 66
1860.....	191,366 82
1861.....	189,233 74
1862.....	351,361 94
1863.....	814,039 27
1864.....	373,695 18
1865.....	357,536 27
1866.....	326,913 30
1867.....	264,338 37
1868.....	407,487 69
1869.....	343,221 37
1870.....	294,073 37
1871.....	285,081 01
1872.....	288,812 13
1873.....	81,339 00
Construction expenditures charged to expenses and for which stock dividends were declared in 1864 .....	876,700 00
Total.....	<hr/> \$5,629,889 21

TABLE No. 4.

## Details of expenditures by years in construction:

1849.....	\$102,911 12
1850.....	128,256 09
1851.....	718,137 07
1852.....	375,594 48
1853.....	110,627 19
1854.....	29,795 96

1855.....	\$36,844 78
1856.....	109,283 31
1857.....	None.
1858.....	None.
1859.....	None.
1860.....	None.
1861.....	None.
1862.....	None.
1863.....	None.
1864.....	376,700 00
1865.....	None.
1866.....	None.
1867.....	None.
1868.....	None.
1869.....	225,291 27
1870.....	437,341 67
1871.....	49,557 05
1872.....	206,087 30
1873.....	36,041 00

## IN OPERATION.

1849.....	None.
1850 .....	None.
1851.....	None.
1852.....	\$60,083 82
1853.....	14,580 26
1854.....	125,455 41
1855.....	189,185 22
1856.....	188,941 26
1857.....	288,398 54
1858.....	219,180 06
1859.....	200,183 65
1860.....	218,404 54
1861.....	196,252 38
1862.....	246,333 17
1863.....	475,947 86
1864.....	661,495 78
1865.....	917,657 78
1866.....	756,781 50
1867.....	870,206 47

1868.....	\$772,898 27
1869.....	935,821 96
1870.....	877,453 16
1871.....	834,069 21
1872.....	861,800 45
1873.....	125,028 00

**TOTALS.**

1849.....	\$102,911 12
1850.....	128,256 09
1851.....	718,137 07
1852.....	435,678 30
1853.....	225,207 45
1854.....	155,251 37
1855.....	176,030 00
1856.....	298,224 57
1857.....	298,398 54
1858.....	219,130 06
1859.....	200,183 65
1860.....	213,404 54
1861.....	196,252 38
1862.....	246,335 17
1863.....	475,947 86
1864.....	1,038,195 73
1865.....	917,657 78
1866.....	756,781 50
1867.....	870,206 47
1868.....	772,898 27
1869.....	1,161,113 23
1870.....	1,314,794 83
1871.....	[Def.] 784,506 16
1872.....	1,067,387 75
1873.....	161,069 00

Total of Construction.....	\$2,843,354 19
Total of Operation .....	10,089,954 70
Total .....	<u>\$12,933,308 89</u>

TABLE No. 5.

	<i>Disposition of Profits by Years' Dividends.</i>	<i>Reinvestment and Other Disposition.</i>
1852.....	\$25,294 24	\$20,565 81
1853.....	55,256 49	8,139 22
1854.....	90,860 00	23,677 55
1855.....	96,180 00	52,147 32
1856 { .....	130,812 00 Cash.	.....
{ .....	211,600 00 Stock.	13,426 84
1857.....	168,874 00	24,356 17
1858.....	137,645 00	23,874 48
1859.....	137,895 00	20,090 68
1860.....	138,145 00	58,221 82
1861.....	138,145 00	51,088 74
1862.....	173,169 69	178,192 25
1863.....	201,761 82	112,277 95
1864 { .....	819,962 08 Cash.	.....
{ .....	876,700 00 Stock.	53,738 10
1865.....	248,050 52	114,485 75
1866.....	247,345 28	79,568 07
1867.....	292,253 70	Deficit. 27,923 83
1868 .....	251,134 70	156,852 99
1869.....	251,134 70	92,086 67
1870.....	247,915 04	46,158 33
1871.....	244,695 88	40,385 63
1872.....	238,578 00	50,284 13
1873.....	31,460 00	Loss. 121 00
Total.....	<u>\$4,443,867 09</u>	<u>\$1,186,022 12</u>

TABLE No. 6.

Cost of road :

1852.....	\$1,324,898 76
1853.....	1,435,525 95
1854.....	1,465,321 91
1855.....	1,502,166 69
1856.....	1,611,550 00
1857.....	1,611,450 00
1858.....	1,611,450 00
1859.....	1,611,450 00



1860.....	\$1,611,450 00
1861.....	1,611,450 00
1862.....	1,611,450 00
1863.....	1,611,450 00
1864.....	1,988,150 00
1865.....	1,988,150 00
1866.....	1,988,150 00
1867.....	1,988,150 00
1868.....	1,988,150 00
1869.....	2,213,441 27
1870.....	2,650,782 94
1871.....	2,601,225 89
1872.....	2,007,313 19
1873.....	2,843,354 19

TABLE No. 7.

	<i>Capital Stock.</i>	<i>Bonds.</i>
1852.....	\$682,387 10	\$663,100 00
1853.....	738,650 00	628,600 00
1854.....	924,100 00	456,000 00
1855.....	974,800 00	422,000 00
1856.....	1,294,450 00	317,000 00
1857.....	1,361,450 00	250,000 00
1858.....	1,376,450 00	235,000 00
1859.....	1,381,450 00	230,000 00
1860.....	1,381,450 00	230,000 00
1861.....	1,381,450 00	230,000 00
1862.....	1,440,050 00	171,000 00
1863.....	1,517,450 00	94,000 00
1864.....	1,900,150 00	88,000 00
1865.....	1,928,150 00	60,000 00
1866.....	1,988,150 00	5,000 00
1867.....	1,988,150 00	5,000 00
1868.....	1,988,150 00	.....
1869.....	1,988,150 00	348,000 00
1870.....	1,988,150 00	800,000 00
1871.....	1,988,150 00	800,000 00
1872.....	1,988,150 00	800,000 00
1873.....	1,988,150 00	870,000 00

Senator Shiveley moved to refer the report of Attorney-General Ketcham to the Committee on the Vandalia Investigation, and that the same be printed.

Which motion prevailed.

Senator Shiveley was called to the chair at 11:15.

Senator Alexander called up Senate Bill No. 65 for third reading.

The bill was read a third time.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 65 be referred to Senator Nussbaum with instructions that he insert "and see that a proper accounting has been had between such officers of all funds" at the end of section 2, and to add at the end of section 3 these words, "that nothing herein shall effect the issuing of warrants relating to the management of the common or congressional school funds or insanity inquests," and insert the words "or special" after the word regular in section 4.

ELLISON.

Which motion prevailed.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 479, entitled a bill for an act to establish Superior Courts in the counties of Grant and Howard, to be presided over by one judge, to define the jurisdiction of said courts, provide for the appointment and election of a judge thereof, fixing his salary, providing for appeals and changes of venue to and from said courts, providing for the transfer of causes from the Circuit Courts of said counties to the respective Superior Courts thereof, and from said Superior Courts to said respective Circuit Courts, fixing the term of the Circuit Courts of Tipton and Howard Counties, regulating process therein and declaring an emergency.

And Engrossed House Bill No. 510, entitled :

A bill for an act to amend section 1 of an act entitled an act authorizing the condemnation and purchase of lands, easements and rights of way for the disposition of sewage of the institutions of the State of Indiana for the care of the deaf and dumb, blind, feeble-minded, insane; for the imprisonment of criminals, and all State institutions where persons are detained or cared for by the State; and giving such institutions power to construct sewers or other systems of drainage, and other systems for the disposal of sewage, and declaring an emergency.

And the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Phares offered the following motion relative to Senate Bill No. 65 :

MR. PRESIDENT :

I move to recommit Senate Bill No. 65 to its author as a committee of one with instructions to amend section 4 by adding thereto the words, "*Provided*, That nothing herein shall prevent the Board from issuing warrants at the close of any term for the payment of money due officers of the Commissioners' Court for services rendered at such term.

PHARES.

Which motion prevailed.

Senator Nusbaum, a committee of one, to which was referred Senate Bill No. 65, with instructions to amend, made the following report :

MR. PRESIDENT :

Your Committee of One, to which was referred Senate Bill No. 65, introduced by Mr. Nusbaum, begs leave to report the same back to the Senate amended according to the instruction of the Senate.

W. H. NUSBAUM.

Which report was concurred in.

The following message was received from the Governor:

FEBRUARY 8, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Bill No. 825, an act legalizing the records and action of the Board of Trustees of the town of Waterloo, Dekalb County, Indiana, in relation to the construction and equipment of a town hall, and the same has been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

To the Honorable President of the Senate.

Read in the Senate at 11:15 on Monday, February 8, 1897.

Senate Bill No. 65 was then put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bozeman, Campbell, Drummond, Ellison, Gill, Goar, Goodwine, Horner, Houghton, Hubbell, Humphrey, LaFollette, Nusbaum, O'Brien, Rinear and Shea.  
Total, 18.

Those voting in the negative were:

Senators Bethell, Collett, Culbert, Early, Gilbert, Hawkins, Hogate, Holler, Hugg, Kerns, Leich, New, Newby, Phares, Schneck, Self, Shiveley, Stroup, Sweeney, Watson and Wood.  
Total, 21.

So the bill failed to pass.

Senator Gilbert moved to reconsider the vote by which Senate Bill No. 65 failed to pass.

Senator Bethell moved to lay the motion of Senator Gilbert on the table.

Which motion was lost on a division of 19 in the affirmative to 21 in the negative.

Senator Gilbert moved to make Senate Bill No. 65 a special order for 10:30 to-morrow.

Which motion prevailed.

Senator O'Brien called up Engrossed House Bill No. 479.

Which was read the first time.

Senator O'Brien moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Early, Gilbert, Gill, Goar, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, Wood. Total, 39.

None voting in the negative.

So the constitutional rule was suspended, and the bill was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Early, Gilbert, Gill, Goar, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Schneck, Shea, Shiveley, Sweeney, Watson, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

On motion of Senator Rinear the Senate adjourned.

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## MONDAY AFTERNOON.

FEBRUARY 8, 1897.

The Senate was called to order at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

Senator Collett called up House Bill No. 310.

The bill was read the first time.

Senator Collett moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

Senator Drummond was called to the chair to preside at 2:10.

Senator Shiveley was called to the chair to preside at 2:20.

The roll was then called on the suspension of the constitutional rule on Engrossed House Bill No. 510.

Those voting in the affirmative were:

Senators Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Early, Ellison, Gilbert, Goodwine, Hawkins, Horner, Houghton, Humphreys, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Schneck, Shea, Stroup, Sweeney, Watson, Wood. Total, 30.

Those voting in the negative were:

Senators Alexander, Ball, Duncan, Gill, Hogate, Holler, Hugg, Johnson of Madison, Self, Shiveley, White. Total, 11.

So the constitutional rule was not suspended, and the bill was referred to the Committee on Benevolent Institutions.

Senator Humphreys asked that Senator Johnston of Dearborn be excused.

Which request was granted.

Senator LaFollette asked that Senator McCord be excused.  
And the request was granted.

Senator Bobilya called up Senate Bill No. 40, which was read a third time by sections.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move that Engrossed Senate Bill No. 40 be referred to its author, with instructions that he insert therein a complete enacting clause.

ELLISON.

Which motion prevailed.

Senator Ellison, a committee of one, to which was referred Senate Bill No. 40, with instructions, made the following report :

MR. PRESIDENT :

Your committee of one would hereby report, that in compliance with the instructions to insert an enacting clause in Senate Bill No. 40 has so done.

ELLISON.

Which report was concurred in.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood.  
Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title to the bill stand as the title of the act.

It was so ordered.

Senator Bozeman called up Senate Bill No. 71.

The bill was read a third time.

Lieutenant-Governor Haggard resumed the chair at 2:40.

Senator Wood moved that the bill be recommitted to its author for amendment.

Senator Shiveley moved, as a substitute for Senator Wood's motion, that the further consideration of Senate Bill No. 71 be deferred until Thursday at 10 A. M.

Which motion prevailed on a division by which 29 voted in the affirmative.

Senator Collett called up Senate Bill No. 191.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Collett, Duncan, Ellison, Houghton, Kerna, LaFollette, New, O'Brien, Phares, Rinear, Schneck, Shiveley, White, Wood. Total, 18.

Those voting in the negative were :

Senators Alexander, Campbell, Culbert, Early, Gilbert, Gill, Goar, Goodwine, Gostlin, Hogate, Horner, Hugg, Humphreys, Mull, Nusbaum, Self, Stroup, Sweeney. Total, 18.

So the bill failed to pass.

Senator Culbert called up Senate Bill No. 106.

The bill was read a third time by sections.



Senator Houghton made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 106 to its author with instructions to strike out the word "village" wherever it appears in the bill.

HUGHTON.

Which motion prevailed.

Senator Shiveley, the committee of one to which was referred Senate Bill No. 106, with instructions, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 106, with instructions of the Senate, has complied therewith and returns the bill for the further action of the Senate.

SHIVELEY.

Which report was concurred in.

The bill was then put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Duncan called up Senate Bill No. 176.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Collett, Duncan, Early, Ellison, Gilbert, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Kerns, LaFollette, Mull, New, Newby, O'Brien, Phares, Self, Shea, Shiveley, Stroup, White, Wood. Total, 28.

Those voting in the negative were :

Senators Bobilya, Campbell, Culbert, Gill, Gochenour, Hogate, Humphreys, Johnson of Madison, Leich, Rinear, Schneck, Sweeney, Watson. Total, 13.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 277 and 486, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 277, entitled :

A bill for an act to amend section one (1) of an act entitled an act to amend section one (1) of an act entitled an act to amend an act entitled an act to provide for the general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, adding supplemental sections thereto, approved March 8, 1873, approved March 12, 1875, and declaring an emergency, the same being section 4439 of the Revised Statutes of 1881.

Read first time and referred to Committee on Corporations.

Engrossed House Bill No. 486.

A bill for an act legalizing the acts of the Circle Grove Cemetery Association of Spiceland, Indiana, and the acts of the directors and officers thereof, and declaring an emergency.

Read first time and referred to Committee on Corporations.

Senator Early called up Senate Bill No. 204.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, White and Wood. Total, 38.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Ellison, Gill, Humphries, Nusbaum, Rinear, Shea, Stroup and Sweeney. Total, 11.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ellison called up Senate Bill No. 206.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner,

Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 48.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gilbert called up Senate Bill No. 281.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 39.

Senator Collett voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gill called up Senate Bill No. 246.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Gilbert, Gill, Goar, Gochenour, Hawkins, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White. Total, 35.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Gochenour called up Senate Bill No. 260 :

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gill, Goar, Gochenour, Goodwine, Hawkins, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 43.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

The following House Concurrent Resolution No. 14 was received from the House :

WHEREAS, In the Senate of the United States, on the 23d day of January, 1897, Senate Bill No. 2741, the same being a bill to reclassify railway postal clerks and prescribe their salaries,

was considered as in committee of the whole, having been reported without amendment, ordered engrossed, read the third time and passed; and

**WHEREAS**, The passage of this bill will remedy the existing evils now so patent in the United States postal service, by properly classifying and assigning to certain departments each employe, recognizing meritorious service, and makes it possible for the diligent and more competent clerk to advance, thereby giving to the general public better service. Therefore be it

*Resolved by the House of Representatives of the General Assembly of Indiana, the Senate concurring*, That the Representatives in Congress of the State of Indiana be, and they are hereby, earnestly requested to use their best efforts in securing an early day for the consideration of Senate Bill No. 2741, and to use all honorable means to secure its final passage. Be it further

*Resolved*, That a copy of these resolutions be forwarded by the Clerk of the House and Secretary of the Senate, to each of the Representatives in Congress from the State of Indiana.

SPoonER of Marion.

Which was read and adopted.

Senator Schneck, by request, introduced Senate Bill No. 394, entitled :

A bill for an act regulating the width of tires on vehicles used to pass over the public highways of the State, providing for the licensing of vehicles, and providing penalties for the violation thereof.

Read first time and referred to the Committee on Roads.

Senator Schneck introduced Senate Bill No. 395, entitled :

A bill for an act concerning the operation of railroads, prescribing penalties, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Schneck introduced Senate Bill No. 396, entitled :

A bill for an act authorizing cities within this State to purchase water works heretofore constructed for the purpose of supplying their inhabitants with water, to issue bonds in payment for the same, to levy a special tax, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator Early introduced Senate Bill No. 397, entitled :

A bill for an act concerning the salaries of the Judges of the Supreme Court, and to repeal all laws in conflict therewith.

Read first time and referred to the Committee on Fees and Salaries.

Senator New, by request, introduced Senate Bill No. 398, entitled :

A bill for an act to provide for the election and qualification of Justices of the Peace in townships having a population of one hundred thousand (100,000) and over, their jurisdiction, providing salaries, requiring them to collect fees thereof, and pay the fees collected into the county treasury of said county, and other matters connected therewith, and repealing all laws or parts of laws in conflict therewith, and providing penalties.

Read first time and referred to Committee on Judiciary.

The President of the Senate handed down a memorial, signed by A. S. Kinsley, in which the treatment of many of the different diseases afflicting humanity are discussed.

Which memorial was referred to the Committee on Public Health.

A petition, signed by various farmers of Fulton County and adopted by the Farmers' Institute of said county, was introduced, praying that the present management of the State Farmers' Institute be kept extant, and protesting against any legislation the result of which will tend to increase public expenditures.

The petition was read and referred to the Committee on Public Health.

Senator Wood offered the following resolution :

*Resolved*, That the Assistant Secretary be instructed and authorized to make the pay of all committee clerks date from the first day of the session, instead of Monday, January 11, 1897, not including clerks appointed since that date.

WOOD.

Which resolution was adopted.

Senator O'Connor moved to adjourn, and on a division of 15 in the affirmative to 17 in the negative, the motion was lost.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 344, introduced by Senator Culbert, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Engrossed House Bill No. 424, introduced by Mr. Willoughby, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.



Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 353, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 349, introduced by Senator O'Connor, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Engrossed House Bill No. 105, introduced by Mr. Kayser, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 253, introduced by Senator New, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 259, introduced by Senator Hubbell, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that section one (1) of said bill be stricken out, that the bill be renumbered, and that when said bill is so amended that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 251, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the word "not" be inserted after the word "shall," in line 1 of section 2; by striking out the words "all such suits," in lines 2 and 3 in section 2, and insert in lieu thereof the word "actions;" and strike out all that part of section 2 after the word "pending," in line 2 of said section, and that when the bill is so amended that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 328, introduced by Senator Hubbell, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 351, introduced by Mr. O'Bannon, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator LaFollette moved that the Senate do now adjourn.

Which motion was lost.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 342, introduced by Senator Culbert, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the following words be stricken out of said bill, to wit: "and of the settlement of decedents' estates and of guardianship and of probate matters," and by inserting after the word "jurisdiction," at the end of section 9, the following words: "except probate matters."

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 334, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Engrossed House Bill No. 167, the same being a bill for an act prohibiting the sale and manufacture of cigarettes and cigarette wrappers, and fixing penalties for the violation of the same, and to repeal an act entitled "An act to amend an act entitled an act making it unlawful to give, barter, or sell tobacco, to certain children, or to others, for their use, or to induce said children to use the same, and providing penalties for violations thereof, approved February 9, 1893," introduced by Mr. Reynolds, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows: That after the word "either," in section one in line eleven, the words "cigars or tobacco in any form whatever," be stricken out; that after the word "cigarette," in line sixteen, the words "or cigar, or to smoke or chew tobacco in any form or manner whatever," be stricken out; also, strike out section three, except all following the word "with," in line 12, and when so amended we recommend that the bill do pass.

GOAR,  
Chairman.

Which report was concurred in.

Senator New, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

Your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 339, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.

Which report was concurred in.

Senator New, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 341, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.

Which report was concurred in.

Senator New, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 214, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

NEW,  
Chairman.

Which report was concurred in.

Senator New, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report :

MR. PRESIDENT :

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 340, introduced by Senator Hawkins, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 388, introduced by Senator Shea, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Alexander moved that the Senate do now adjourn.

There being a doubt as to the *viva voce* vote a division was called for, which resulted in 5 votes in the affirmative and 11 votes in the negative.

So the motion was lost.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 166, the same being a bill for an act authorizing the Board of County Commissioners to appoint a County Superintendent of Highways, introduced by Mr. Gochenour, has had the same under consideration, and begs leave to report the same back to the Senate with the

recommendation that said bill be amended by striking out section 7, and making section 8, section 7; section 9, section 8; section 10, section 9; section 11, section 10; section 12, section 11.

Substitute for section 8 the following: It shall be the duty of each Township Trustee, under the direction of the Superintendent of Highways, to employ laborers at not to exceed \$1.25 (one dollar and twenty-five cents) per day, and team and hand at not to exceed \$2.50 (two dollars and fifty cents) per day. Such employes shall work eight (8) hours each day, and preference shall be given to tax-payers in said township to the amount of road tax paid by them to the County Treasurer, and each Township Trustee shall be responsible for the performance of the work in the manner directed by the County Superintendent of Highways. The Township Trustees shall be liable in an action on their bonds in the name of the county on account of any failure by them to perform the work in the manner directed by the Superintendent of Highways. Such Township Trustees shall keep the time of the hands employed by them and for cause may dismiss any hand, and shall pay said hands out of the road funds in their hands.

Amend section 9 by adding thereto: "Upon the hearing of the report if the Commissioners find that all the requirements have been complied with, and that the work will be of public utility, or convenience, and expense and damages shall be less than the benefit, they shall enter upon their order book an order that the improvement be made, showing the kind of improvement and the width thereof."

Amend by inserting the following: "Section 12. The office of Supervisor of Highways is hereby abolished," and that when so amended the bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gostlin introduced Senate Bill No. 399, entitled:

A bill for an act to amend section one of an act approved February 23, 1853, entitled an act to authorize railroad companies to consolidate their stock with the stock of railroad companies in this or in adjoining States, and to connect their roads with the roads of said companies, and to authorize railroad companies to construct their roads on the routes which

they may have heretofore surveyed and located, and to use and occupy the same when located; said section being section 3971 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Horner moved that the Senate do now adjourn.

There being a doubt as to the *viva voce* vote, a division was called for, which resulted in 19 votes in the affirmative and 15 votes in the negative, and so the motion prevailed.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## TUESDAY MORNING.

FEBRUARY 9, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Senate was lead in prayer by the Rev. Dr. Simms, of Indianapolis.

The Journal was ordered read.

After reading a portion of the same the further reading was dispensed with, on motion of Senator Gochenour.

The roll was ordered called for bills on third reading.

Senator Goodwine called up Senate Bill No. 207.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.



Those voting in the affirmative were :

Senators Alexander, Ball, Campbell, Duncau, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Watson, White, Wood. Total, 31.

Those voting in the negative were :

Senators Bobilya, Early, Houghton, LaFollette, O'Connor, Stroup, Sweeney. Total, 7.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hawkins called up Senate Bill No. 171.

The bill was read a third time by sections.

Senator Hawkins made the following motion :

MR. PRESIDENT :

I move to refer the bill to the author with instructions to amend section 1 by striking out the words "two thousand five hundred and eighty and thirty one-hundredths," and inserting instead thereof the following, "two thousand five hundred and fifty and fifty-two hundredths," and to amend section 2 by striking out the words "one thousand nine hundred and eighty-two and four one-hundredths," and inserting instead thereof the following, "one thousand eight hundred and fifty-two and and fifty one-hundredths," and to amend section 3 by striking out the words "one hundred and twenty-one and thirty-four one-hundredths," and inserting the following, "one hundred and twelve," and to amend section 4 by striking out the words "seven thousand eight hundred and four and sixty-nine one-hundredths," and by inserting the words "seven thousand three hundred and thirty-one and eighty-three hundredths."

HAWKINS.

Which motion prevailed.

Senator Hawkins, a committee of one, to which was referred Senate Bill No. 171 with instructions, made the following report:

MR. PRESIDENT:

The committee to which was referred Senate Bill No. 171, with instructions to report an amendment to the bill, amending section one by striking out the words "two thousand five hundred and eighty and thirty one-hundredths," and inserting the following: "Two thousand five hundred and forty and fifty-two hundredths," and amend section two by striking out the words "one thousand, nine hundred and eighty-two and four one hundredths," and inserting in lieu thereof the following: "One thousand eight hundred and fifty-two and forty one-hundredths;" and to amend section three by striking out the words "one hundred and twenty-one and thirty four one hundredths," and inserting in lieu thereof the following: "One hundred and twelve;" and to amend section four by striking out the words "seven thousand eight hundred and four and sixty-nine one-hundredths," and by inserting the words "seven thousand three hundred and thirty-one and eighty-three hundredths," herewith report the bill amended as directed.

HAWKINS.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senator Alexander, Ball, Bethell, Bobilya, Campbell, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbbaum, O'Brien, O'Connor, Patten, Phares, Kinear, Schneck, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title to the bill stand as the title to the act?

It was so ordered.

Senator Horner called up Senate Bill No. 154.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Houghton called up Engrossed Senate Bill No. 12.

Which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Campbell, Culbert, Drummond, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, O'Brien, Patten, Phares, Rinear, Schneck, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 89.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hugg called up Senate Bill No. 155.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Campbell, Drummond, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, Leich, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Stroup, Sweeney, Wood. Total, 29.

Those voting in the negative were :

Senators Bethell, Bobilya, Culbert, Duncan, Early, Houghton, Johnston of Dearborn, LaFollette, Schneck, Watson, White. Total, 11.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Hugg offered the following amendment to the title of Senate Bill No. 155 :

MR. PRESIDENT :

I move that the title of Senate Bill No. 155 be amended so as to read as follows :

An act concerning the pleadings and proof in actions for damages on account of negligence, and declaring an emergency.

HUGG.

Which motion prevailed.

Senator Hugg moved to reconsider the vote by which Senate Bill No. 155 was passed.

Senator Ball moved to lay Senator Hugg's motion on the table.

Which motion prevailed.

Senate Bill No. 65 was taken up at 10:30 A. M. as a special order.

The motion to reconsider the vote by which Senate Bill No. 65 was lost was carried by a vote of thirty-five in the affirmative to three in the negative.

Senator Gilbert moved to recommit Senate Bill No. 65 to its author, with instructions to amend.

Which motion was withdrawn.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Act No. 312, and the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 70 and 208, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 44, 315, 290, 209, 127 and 275, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 209, entitled :

A bill for an act to provide for the building of flood-gates in ditches having an outlet in water courses, and which drains overflowed lands.

Read first time and referred to Committee on Swamp Lands and Drains.

**Engrossed House Bill No. 275, entitled :**

A bill for an act to amend section one hundred and forty-two (142) of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891, making it a penal offense to violate section 1 of this act, prescribing a penalty for a violation thereof, and declaring an emergency.

Read a first time and referred to Committee on County and Township Business.

**Engrossed House Bill No. 127, entitled :**

A bill for an act defining the Fifth Judicial Circuit of the State of Indiana, fixing the time of holding courts in said circuit, prescribing the length of terms thereof, providing for the return of process therein, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

**Engrossed House Bill No. 315, entitled :**

A bill for an act to amend an act entitled an act providing for the release of mortgages by the person whose duty it shall be to release the same when such mortgage shall have been paid, and prescribing a penalty for failure to release the same, approved February 18, 1898.

Read the first time and referred to the Committee on Judiciary.

**Engrossed House Bill No. 290, entitled :**

A bill for an act authorizing incorporated towns that have heretofore or may hereafter contract with any corporation, person or firm for supplying said town with water, or when any incorporated town has purchased any water works system within their corporation limits to levy and collect an annual tax of not more than fifty cents on each one hundred dollars worth of taxable property in said town with which to pay said contract price agreed upon, or the purchase price of said water works system, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

**Engrossed House Bill No. 44, entitled :**

**A bill for an act concerning civil procedure, setting forth the forms of verdicts found by the juries, repealing an act entitled an act to amend section 389 of an act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881, approved March 11, 1895, and repealing all laws and parts of laws in conflict with this act, and declaring an emergency.**

**Read the first time and referred to the Committee on Judiciary.**

**Senator Watson was called to the chair at 10:40 o'clock.**

**President Haggard resumed the chair at 11 o'clock.**

**Senator Hugg moved to amend Senate Bill No. 65.**

**Senator LaFollette made the point of order that the bill could not be amended in the manner proposed by Senator Hugg's motion.**

**Which point was well taken.**

**Senate Bill No. 65, being a special order for this hour, was taken up.**

**The question being, Shall the vote by which Senate Bill No. 65 failed to pass be reconsidered ?**

**Those voting in the affirmative were :**

**Senators Alexander, Ball, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson. Total, 35.**

**Those voting in the negative were :**

**Senators Bethell, Bobilya, Drummond. Total, 3.**

**So the vote was reconsidered.**

Senator Self made the following motion :

MR. PRESIDENT :

I move that Substitute Senate Bill No. 65 be recommitted to a committee of one with instructions to amend the same by adding after the word at the end of line 5 of section 4 the following words, to wit: "*Provided*, Claims for services as road or highway viewers or reviewers may be allowed at the session at which they are filed."

Which motion prevailed.

Senator Hugg made the following motion :

MR. PRESIDENT :

I move that Substitute Senate Bill No. 65 be recommitted to a committee of one, to amend by inserting the following after the end of section 6 :

SEC. 7. The provisions of this act shall not apply to counties having a population of 100,000 or more according to the census of 1890.

HUGG.

Which motion prevailed.

Senator Nusbaum, a committee of one, to which was referred Senate Bill No. 65, with instructions, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 65 with instructions, introduced by Senator Nusbaum, begs leave to report the same back to the Senate, amended according to the instructions of the Senate.

NUSBAUM.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New,



Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Stroup, White. Total, 41.

Those voting in the negative were :

Senators Bethell, Collett, Culbert, Sweeney. Total, 4.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Humphreys called up Senate Bill No. 300.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 43.

Those voting in the negative were :

Senator Johnson of Dearborn. Total, 1.

So the bill passed.

The question being, Shall the title of the bill stand as the title to the act?

It was so ordered.

Senator Johnson of Madison called up Senate Bill No. 107.

Which was read a third time and put upon its passage.

Senator Newby made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 107 to its author with instructions to strike out all the words in lines 6 and 7 in section 5 of the bill.

NEWBY.

Which motion was lost.

Senator Drummond made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 107 be recommitted to its author with instructions to amend by striking out clause (d) of section 2.

DRUMMOND.

Which motion did not prevail.

Senator Newby made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 107 to a committee of one with instructions to strike out section 3 thereof and re-number the sections.

NEWBY.

Which motion did not prevail.

Senator Ball made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 107 to its author with specific instructions to strike out " 500 " in line 5, section 7, and inserting therein " 100."

BALL.

Which motion did not prevail.

Senator Newby made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 107 to its author with instructions to strike out all the words in lines 1, 2, 3, 4, 5, 6, 7 and 8, section 2.

NEWBY.

Which motion did not prevail.

Senator Houghton made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 107 to its author with instructions to strike out lines 1, 2 and 3 of section one (1).

HOUGHTON.

Which motion was lost.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collet, Culbert, Drummond, Duncan, Early, Ellison, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Horner, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Shiveley, Stroup, Sweeney, White, Wood. Total, 36.

Those voting in the negative were:

Senators Bethell, Gostlin, Holler, Houghton, Hubbell, Leich, Mull, Newby, Schneck, Self. Total, 10.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 354, the same being a bill for an act fixing fees and salaries of State and county officers, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be printed.

W. R. WOOD,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred House Bill No. 510, the same being a bill for an act to amend section 1 of an act authorizing the condemnation and purchase of lands and rights of way for disposition of sewage for State Institution, etc., introduced by Representative Harris,

has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Ball moved to reconsider the vote by which the report of the Committee on Senate Bill No. 349 was adopted.

Which motion prevailed.

Senate Bill No. 349 was referred to the Committee on Education.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 348, the same being a bill for an act whereby Township Trustees may levy a special road tax for the purpose of liquidating and discharging road indebtedness incurred prior to December 1, 1896, introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 177, the same being a bill for an act for the protection of highways, introduced by Mr. Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following bill be substituted for said bill :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana, That whoever shall haul or drive any wagon having a*

load exceeding fifteen hundred (1,500) pounds in weight shall have tires less than three (3) inches in width, or who shall haul or drive any wagon having a load exceeding three thousand (3,000) pounds in weight with tires less than four (4) inches in width, over any free gravel, stone or macadamized road in this State, or over any free turnpike in the State, outside of any incorporated city or town, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five dollars (\$5) for each offense.

And when so substituted we recommend that the bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

On motion of Senator Ellison the Senate adjourned.

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## TUESDAY AFTERNOON.

FEBRUARY 9, 1897.

The Senate convened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred House Bill No. 277, introduced by Mr. Rifenburg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUBBELL,  
Chairman.

Which report was concurred in.

Senator O'Brien moved that reports on Joint Resolutions Nos. 1 and 3, be made a special order for 3 P. M. to-day.

Which motion prevailed.

Senator Mull, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 251, the same being a bill for an act to appropriate money to defray the expenses of the commission appointed by the Supreme Court of the United States in establishing a boundary line between the State of Indiana and the Commonwealth of Kentucky, opposite Green River Island, introduced by Senator Leich, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by striking out the word "five hundred" in section one of said bill and inserting in lieu thereof the words "three hundred." Also, by striking out of section one the words "said sums to be paid out of the voucher of the Commissioners of the State of Indiana," and inserting in lieu thereof the following: "Said sum to be appropriated to the Governor of the State of Indiana, and by him paid out on the voucher of the parties in interest, and any moneys not so paid out to be covered in the State Treasury," and that when so amended the bill do pass.

MULL,  
Chairman.

Which report was concurred in.

Senator Hogate presented a petition signed by various citizens of the State of Indiana, protesting against the manufacture and sale of cigarettes in the State of Indiana.

Which petition was referred to the Committee on Public Health.

Senator Hugg presented a petition signed by various citizens of the State of Indiana, protesting against the manufacturing and sale of cigarettes in the State of Indiana.

Which report was referred to the Committee on Public Health.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 263, introduced by Senator Horner, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be amended by striking out the words "other trailer cars " in section one thereof, and when so amended that the bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 369, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

Houghton,  
Chairman.

Which report was concurred in.

The roll was ordered called for bills on third reading.

Senator Kerns called up Senate Bill No. 301.

Which was read a third time and put upon its passage.

Senator Nusbaum made the following motion :

MR. PRESIDENT :

I move to have Senate Bill No. 301 referred back to its author, and make the following amendment: Strike out the word and figure 5 in the amended bill and insert the word and figure 2.

NUSBAUM.

On a division the motion was lost by a vote of 11 in the affirmative to 17 in the negative.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 144 and 150, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 144, entitled:

A bill for an act to regulate the duties of County Surveyors.  
Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 150, entitled:

A bill for an act to continue school fund loans when the same become due in certain cases, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

The question being on the passage of Senate Bill No. 801.

The roll was called.

Those voting in the affirmative were:

Senators Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hogate, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, O'Brien, Patten, Phares, Shiveley, Sweeney, Watson, White. Total, 25.

Those voting in the negative were:

Senators Alexander, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, Rinear, Schneck, Shea, Stroup, Wood. Total, 18.

So the bill failed to pass for want of a constitutional majority.

Senate Bill No. 117 was taken up at 2:40 as a special order.

The bill was put upon its passage.

Senator Holler was called to the chair at 2:55 P. M.

President Haggard resumed the chair at 3 o'clock P. M.



Senator Holler moved that Senate Bill No. 117 be made a special order for next Monday at 2 o'clock P. M.

Senator Ellison moved to amend Senator Holler's motion by fixing the time at to-morrow at 2 o'clock P. M.

Which amendment was adopted.

The question recurring upon Senator Holler's motion as amended.

Which motion was lost by a vote of 22 votes in the affirmative to 23 in the negative.

Senator O'Brien was called to the chair at 8:55 o'clock P. M.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 224, 142, 245, 326 and 153, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 526, entitled :

A bill for an act entitled an act concerning appeals to the Supreme and Appellate courts of Indiana, and providing what notice shall be necessary ; amending section 640 of an act concerning civil procedure, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 245, entitled :

A bill for an act to amend section 24 of an act providing for the election and qualification of justices of the peace and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852, the same being section 1551 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Judiciary.

**Engrossed House Bill No. 142, entitled :**

**A bill for an act relating to practice in libel and slander cases.**

**Read first time and referred to the Committee on Judiciary.**

**Engrossed House Bill No. 158, entitled :**

**A bill for an act authorizing cities to survey and plat unplatted lands within the city limits, cause the same to be recorded, and to assess the expenses of such survey, platting and recording against the lots so platted, and providing for the collection of such expenses.**

**Read first time and referred to Committee on Cities and Towns.**

**Engrossed House Bill No. 224, entitled :**

**A bill for an act to prevent hauling over gravel roads and public highways which have been graded and graveled at certain times and seasons of the year, and providing penalties therefor and repealing all laws in conflict herewith.**

**Read first time and referred to the Committee on County and Township Business.**

**President Haggard resumed the chair at 4 o'clock.**

**Senator Hugg moved the previous question.**

**Senator Ellison insisted on the right of the closing speech to Senate Bill No. 117.**

**The Chair decided in favor of Senator Ellison.**

**Senator Hugg gave notice of his intention to renew his motion at the close of Senator Ellison's speech.**

**The question being on the passage of Senate Bill No. 117.**

**The roll was called.**

**Those voting in the affirmative were :**

**Senators Bozeman, Early, Ellison, Hogate, Holler, Johnson of Madison, New, O'Brien, O'Connor, Rinear, Schneck, Shea, Sweeney, Watson, White. Total, 15.**

Those voting in the negative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Culbert, Drummond, Duncan, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, Newby, Nusbaum, Patten, Phares, Self, Shiveley, Stroup, Wood. Total, 33.

So the bill failed to pass.

Senator Duncan moved to reconsider the vote by which Senate Bill No. 117 was lost.

Senator Newby moved to lay Senator Duncan's motion on the table.

Which motion was lost by a standing vote of 12 in the affirmative to 20 in the negative.

The reports of the Committee on Revision of the Constitution on Senate Joint Resolution No. 1, being a special order for this hour, was taken up.

A majority of the Committee on Revision of the Constitution made the following report :

MR. PRESIDENT :

A majority of your Committee on Revision of the Constitution, to which was referred Joint Resolution No. 1, Senate, chapter CLV, of the acts of 1895, a proposed amendment, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the further consideration of said constitutional amendment be indefinitely postponed.

J. D. EARLY,  
Chairman,  
R. O. HAWKINS,  
E. G. HOGATE,  
J. J. M. LAFOLLETTE,  
C. P. DRUMMOND,  
J. H. SHEA.

MR. PRESIDENT :

A minority of your Committee on the Revision of the Constitution, to which was referred Joint Senate Resolution No. 1, Senate, being CLV, of the acts of 1895, a proposed amend-

ment of the Constitution, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

C. E. SHIVELEY.

The question being, Shall the minority report be substituted for the majority report?

The minority report was not substituted for the majority report.

Senator Alexander moved that the Senate do now adjourn.

Which motion did not prevail.

The question recurring upon the adoption of the majority report.

The ayes and nays were demanded by Senator Shiveley, seconded by Senator Gilbert.

The roll was called.

Those voting in the affirmative were :

Senators Bethell, Campbell, Collett, Culbert, Drummond, Early, Gill, Goar, Gochenour, Hawkins, Hogate, Hubbell, Hugg, Humphrey, Johnston of Dearborn, Kerns, LaFollette, Leich, New, Nusbaum, Self, Shea, Stroup and Sweeney. Total, 24.

Those voting in the negative were :

Senators Alexander, Ball, Bobilya, Bozeman, Gilbert, Goodwine, Gostlin, Holler, Horner, Houghton, Mull, Newby, O'Brien, O'Connor, Patton, Phares, Rinear, Schneck, Shiveley, Watson, White and Wood. Total, 22.

So the majority report was concurred in.

Senator Shiveley moved to reconsider the vote by which the minority report was lost.

Which motion was declared out of order by the chair.

On motion of Senator Hawkins, the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## WEDNESDAY MORNING.

FEBRUARY 10, 1897.

The Senate convened at 10 o'clock, with Lieutenant-Governor Haggard in the chair.

Prayer was offered by Rev. G. L. McKinzey, of the First Lutheran Church of Indianapolis.

The Journal was ordered read.

After a portion of the Journal had been read, the further reading of the same was dispensed with on motion of Senator Houghton.

Senator Duncan introduced Senate Bill No. 400, entitled :

A bill for an act fixing the time of holding courts in the Tenth Judicial Circuit, repealing all laws in conflict therewith, and declaring an emergency.

Bill was read the first time.

Senator Duncan moved that the constitutional rule requiring that bills shall be read on three several days be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Early, Chairman of the Committee on the Revision of the Constitution, made the following report:

MR. PRESIDENT:

Your Committee on the Revision of the Constitution, to which was referred Enrolled Joint Resolution No. 3, House of Representatives, being chapter CLI, of the acts of 1895, a proposed amendment of the Constitution, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said constitutional amendment be indefinitely postponed.

J. D. EARLY,  
Chairman.

Which report was concurred in.

The roll was then called for bills on third reading.

Senator Leich called up Senate Bill No. 359, which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, New, Newby, O'Brien, Patten, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 31.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Rinear, Shea, Stroup, Sweeney. Total, 14.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator LaFollette called up Senate Bill No. 182.

Which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 43.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator New called up Senate Bill No. 199, which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Durcan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Gostlin, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

And so the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

Senator Newby called up Senate Bill No. 185, which was read a third time and put upon its passage.

Senator Newby made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 185 be recommitted to a committee of one, with instructions to insert after the word "paper" of section one the following words: "except the ballots to be used in the election of township officers shall be printed on yellow paper."

NEWBY.

Which motion prevailed.

Senator Newby, a committee of one, to which was referred Senate Bill No. 185 with instructions, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 185, with instructions to amend the same, begs leave to report that said bill has been amended as instructed, to wit: By inserting after the word "paper" in line 14 of section one (1) the following words: "except the ballots to be used in the election of township officers shall be printed on yellow paper."

NEWBY.

Which report was concurred in.



Senator Ellison made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 185 be recommitted to its author with instructions to strike out the words "blue pencil" and word "pencil" wherever the same occurs, and insert in lieu thereof the words "a stamp furnished by the Board of Election Commissioners" and the word "stamp."

ELLISON.

Which motion did not prevail.

On motion of Senator Phares the Senate adjourned.

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### WEDNESDAY AFTERNOON.

FEBRUARY 10, 1897.

The Senate convened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 96 and 188, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 110, 187, 247, 231, 195, 196 and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Engrossed House Bill No. 247, entitled :

A bill for an act to amend section seven (7) of an act approved April 7, 1881, entitled an act concerning landlord and tenant, the same being section 5213 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

**Engrossed House Bill No. 110, entitled :**

**A bill for an act to legalize the acts of Notaries Public whose commissions have expired or who have been ineligible to office, and declaring an emergency.**

**Read first time and referred to Committee on Judiciary.**

**Engrossed House Bill No. 195, entitled :**

**A bill for an act entitled an act to provide for the publication of the annual reports of the Township Trustees, and repealing all laws or parts of laws in conflict herewith.**

**Read and referred to the Committee on County and Township Business.**

**Engrossed House Bill No. 281, entitled :**

**A bill for an act to amend section thirty-one (31) of an act entitled an act concerning taxation, repealing all laws in conflict therewith and declaring an emergency, approved March 6, 1891.**

**Read first time and referred to Committee on Judiciary.**

**Engrossed House Bill No. 196, entitled :**

**A bill for an act to amend section 13 of an act entitled an act providing for voluntary assignments of personal and real property in trust for the benefit of creditors, regulating the mode of administering the same, approved March 5, 1859, the same being section 2674 of the Revised Statutes of 1881, repealing all laws in conflict therewith.**

**Read first time and referred to the Committee on Judiciary.**

**Engrossed House Bill No. 187, entitled :**

**A bill for an act to legalize the municipal elections, the organization and the official acts of the several boards of trustees, and the official acts of all other officers of the town of Hobart, in the county of Lake, in the State of Indiana; and all orders, resolutions, rules, minutes and proceedings, and ordinances heretofore made, passed, ordained or adopted by said boards of trustees, or any of them, making a provision relating to pending suits, and declaring an emergency.**

**Read first time and referred to Committee on Judiciary.**

Senator Watson was called to the chair at 8:20 p. m.

President Haggard resumed the chair at 8:30 o'clock.

The question being on the passage of Senate Bill No. 185.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 81.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Johnson of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Shea, Stroup, Sweeney. Total, 16.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Newby asked leave to amend the title by adding the words "and all laws in conflict therewith."

Which leave was granted, and the title of Senate Bill No. 185 so amended.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

INDIANAPOLIS, February 10, 1897.

MR. PRESIDENT :

Your Committee on Enrolled bills begs leave to report that it has examined Enrolled Senate Bills Nos. 70 and 208, respectively, introduced by Senators Shiveley and Hawkins, and has compared the same with the engrossed bills, and finds that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Early made the following motion :

MR. PRESIDENT :

I move to reconsider the action of the Senate by which the title of Senate Bill No. 359 stands as the title of the act.

J. D. EARLY.

Which motion prevailed.

Senator Early made the following motion :

MR. PRESIDENT :

I move to amend the title of Senate Bill No. 359, so that the same shall read as follows :

“Senate Bill No. 359, a bill for an act providing for a metropolitan police force in all cities containing not less than ten thousand inhabitants and not more than thirty-five thousand inhabitants, and for the appointment of a Board of Metropolitan Police Commissioners for such cities, and defining their duties and prescribing their powers, providing for the appointment of officers, patrolmen and other members of the Metropolitan Police Force of such cities by such Board, and the manner of paying them for their services, and providing for the abolition of existing boards of police and police forces in such cities, and for the abolition of the office of City Marshal in such cities, and repealing certain laws, and declaring an emergency.

Which amendment was adopted.

Senator Gilbert introduced Senate Bill No. 401, entitled :

A bill for an act to provide for the better government, control, management and general supervision of the State's prisons at Michigan City and Jeffersonville, Indiana, providing for the appointment of Boards of Control for said prisons and other matters properly connected therewith, fixing the terms of office of the members of said Board of Control, repealing all laws in conflict herewith, and declaring an emergency.

Read the first time and referred to the Committee on Prisons.

Senator Watson introduced Senate Bill No. 402, entitled :

A bill for an act providing for the impeachment and removal from office of public officers.

Read the first time and referred to the Committee on Judiciary.

The Committee on Railroads made the following report :

MR. PRESIDENT :

A majority of your Committee on Railroads, to which was referred Senate Bill No. 163, introduced by Senator Hubbell, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

W. H. WATSON,  
Chairman,  
RINEAR,  
NUSBAUM,  
HOUGHTON,  
EARLY.

MR. PRESIDENT :

A minority of your Committee on Railroads, to which was referred Senate Bill No. 163, introduced by Senator Hubbell, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

O. Z. HUBBELL.

Senator Ball moved that Senate Bill No. 163, with reports, be printed.

Which motion was lost by a standing vote of 12 in the affirmative to 17 in the negative.

The question being, Shall the minority report be substituted for the majority report?

The ayes and noes were demanded.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Duncan, Ellison, Goar, Goodwine, Holler, Hubbell, Hugg, Johnson of Madison, New, O'Brien, Patten, Sweeney, Wood. Total, 14.

Those voting in the negative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Early, Gill, Gochenour, Horner, Houghton, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, Newby, Nusbaum, Phares, Rinear, Schneck, Self, Shiveley, Stroup, Watson, White. Total, 27.

So the minority report was not substituted for the majority report.

The question being on the adoption of the majority report.

The majority report was concurred in.

Senator Watson, Chairman of the Committee on Railroads, made the following report :

MR. PRESIDENT :

Your Committee on Railroads, to which was referred Senate Bill No. 86, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

W. H. WATSON,  
RINEAR,  
NUSBAUM,  
HOUGHTON,  
EARLY.

Senator Hubbell, a member of the Committee on Railroads, made the following minority report :

MR. PRESIDENT :

The minority of your Committee on Railroads, to which was referred Senate Bill No. 86, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

O. Z. HUBBELL.

The question being, Shall the minority report be substituted for the majority report ?

Which motion prevailed.

The minority report was substituted for the majority.

The question then recurred to the adoption of the substituted report.

Senator Bobilya demanded the ayes and nays.

The roll call was ordered.

Those voting in the affirmative were :

Senators Ball, Campbell, Collett, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Horner, Hubbell, Hugg, Johnson of Madison, Kerns, Leich, O'Brien, O'Connor, Patten, Phares, Schneck, Stroup, Wood. Total, 23.

Those voting in the negative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Drummond, Early, Gostlin, Holler, Houghton, Humphreys, Johnston of Dearborn, LaFollette, New, Newby, Rinear, Self, Shea, Shiveley, Sweeney, Watson, White. Total, 21.

And so the substituted report was concurred in.

Senator Newby moved to suspend the regular order of business in order to receive the reports of committees where there were no majority and minority reports.

Which motion prevailed.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 277, the same being a bill for an act to govern reformatory, benevolent and penal institutions, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

COLLETT,  
Chairman.

Which report was concurred in.

The following resolution was offered by Senators Collett and Wood :

MR. PRESIDENT :

*Resolved*, That the Assistant Secretary be authorized to draw his warrant in favor of M. W. Collett and Will R. Wood for the following sums, on account of the Southern Hospital for the Insane, for expenses of the committee on the investigation of the sewerage question, as follows :

Railroad fare.....	\$13 00
Sleeper .....	3 00
Additional expenses .....	3 80
Total.....	<hr/> \$20 00

We, the committee, hereby certify that the foregoing account is correct, and that said expenses were reasonable and necessary for the investigation of the sewerage and hospital.

COLLETT,  
W. R. WOOD.

Which resolution was adopted.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 288, introduced by Senator Sweeney, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

~~Senator~~ Newby, Chairman of the Committee on Judiciary, ~~made the~~ following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 250, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.



Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 812, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 394, introduced by Senator Schneck, by request, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. SCHNECK,  
Chairman.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 287, introduced by Senator Sweeney, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. SCHNECK,  
Chairman.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 324, introduced by Senator Bozeman, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. SCHNECK,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 365, the same being a bill for an act making it unlawful for any person, firm, company or corporation owning, operating or having contract of any rendering establishment or other establishment or business making use in any way of any carcass of any dead animal, or any part thereof, to allow any hog or other domestic animal or fowl to feed upon or eat any such carcass, or any part thereof, and prescribing penalties for the violation thereof, introduced by Senator Bobilya, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred House Bill No. 77, the same being a bill for an act to prohibit the assessment of the adjacent property holders of real estate occupied by any railroad company or public highway, repealing all laws in conflict therewith, and declaring an emergency, introduced by Mr. Remington, has had the same under consideration,

and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Shiveley offered the following resolution :

WHEREAS, The Senate has reached that period in the session, when the status of bills is changing rapidly and the weekly Calendar fails to indicate the stage of business ; therefore, be it

*Resolved*, That the Principal Secretary be and is hereby directed to have the Calendar printed and distributed twice a week, on each Monday and Thursday.

SHIVELEY,  
Chairman.

Which resolution was adopted.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 230, introduced by Senator Hawkins, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 329, introduced by Senator Hugg, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Prisons, made the following report :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred House Bill No. 120, introduced by Mr. Willoughby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 330, the same being a bill for an act to repeal section 11, etc., concerning drainage, introduced by Senator Johnson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 358, the same being a bill for an act to create dykes and drains, introduced by Senator Bozeman, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do not pass.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands, to which was referred Senate Bill No. 275, the same being a bill for an act protecting persons furnishing materials or labor in the construction of drains or ditches, introduced by Senator Ball, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 366, introduced by Senator Alexander, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that section 3 of said bill be stricken out, that the bill be renumbered, and that when it is so amended that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 383, introduced by Senator Hogate, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 368, introduced by Senator Wood, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 220, introduced by Senator Phares, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 360, introduced by Senator Self, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 380, introduced by Senator Bobilya, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 430, introduced by Mr. Hart, has had the same under consideration and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 295, introduced by Senator Mull, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 233, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 69, the same being a bill for an act for a revision of the laws of the State of Indiana in relation to municipal corporations, including counties, civil and school townships, cities and towns, and declaring an emergency, introduced by Mr. Self, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following bill be substituted for Senate Bill No. 69, and when so substituted we recommend that said bill do pass.

GILBERT,  
Chairman.

Substitute Senate Bill No. 69:

A bill for an act providing for the appointment of a commission to prepare a compilation and revision of the general laws of this State, including counties, civil and school townships, cities and towns, making an appropriation to pay the expenses thereof, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Lieutenant-Governor shall appoint three (3) hold-over Senators, not more than two of whom are of the same political party, which three Senators shall constitute a commission, who are hereby made a Board of Revision. Such



Board is authorized and directed to prepare a compilation and revision of the general laws of this State governing municipal corporations, including counties, civil and school township, cities and towns. Said Board shall suggest such amendments and alterations in any of said laws and prepare bills for such additional ones as they may deem proper, with a view to the adoption and enactment by the General Assembly of a full and complete code governing such subjects. The bills to be prepared by such commission shall be presented to the next General Assembly by the Governor at the opening of its next regular session.

SEC. 2. The Governor of the State may make an allowance for expenses incurred by said Board from time to time, payable out of the State treasury on warrant by the Auditor of the State, to be issued on such order and not exceeding one thousand dollars (\$1,000) per year for two (2) years. The Auditor of State shall furnish such Board with necessary stationery. Said Board shall receive no compensation for their said services.

SEC. 3. The sum of two thousand dollars is hereby appropriated, to be paid out of any sum in the treasury not otherwise appropriated, for the purpose of paying the expenses of said commission.

SEC. 4. Whereas, an emergency exists for the immediate taking effect of this act, therefore it shall be in force from and after its passage.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 335, the same being a bill for an act to regulate the purchase of records and stationery by counties, etc., introduced by Senator Gochenour, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 86, introduced by Mr. Linck, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows: That all of that part of section 1 beginning with the word "all," in line 6, up to and including the word "appointment," in line 10, be stricken out, and when so amended we recommend that the bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 818, the same being a bill for an act providing that public highways shall be indexed and named, etc., introduced by Senator Shea, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report :

MR. PRESIDENT :

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 9, the same being a bill concerning the duties of County Clerks in certain cases, introduced by Senator Houghton, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the substituted bill do pass.

W. R. WOOD,  
Chairman.

Substitute Senate Bill No. 9 :

A bill for an act to amend section one hundred and twenty-nine (129) of an act entitled "An act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices, and salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be misdemeanors, and prescribing penalties therefor, providing the time when the same shall take effect as to certain offices therein named, and repealing all conflicting laws, approved March 11, 1875, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana:* That section 120 of the above entitled act be and the same is hereby amended to read as follows :

Section 129. It shall be the duty of the Clerk within sixty days after a judgment has been rendered, to issue a fee bill for all costs taxed in favor of any clerk or sheriff, when replevin bail for a stay of execution has not been entered, and place the same in the hands of the sheriff of the county for collection, and when replevin bail for the stay thereof shall have been entered, then within thirty days after the expiration of such stay: *Provided, however,* That when any execution is issued against any party, all costs awarded against the party against whom such execution is issued, including any costs made by such party and taxable to him, shall be included in and be collected under such execution, and no fee bill shall be issued therefor: *And, provided further,* That nothing in this act shall be construed to prevent any officer from collection on behalf of the county, fees for the services rendered at the time when the same could, immediately before taking effect of the act which this act amends, be collected by the officer in his own behalf.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

Which report was concurred in.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT :

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 385, the same being a bill for an act to fix salaries of the Adjutant General and Quartermaster-General, and providing for a stenographer, introduced by Mr Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. R. WOOD,  
Chairman.

Which report was concurred in.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT :

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 63, the same being a bill for an act regulating and fixing constables' fees, introduced by Mr. Newby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. R. WOOD,  
Chairman.

Which report was concurred in.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT :

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 223, the same being a bill for an act fixing the salary of the Attorney-General and his assistant, introduced by Senator Watson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. R. WOOD,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred House Bill No. 189, introduced by Mr. Hicks, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGG,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred House Bill No. 190, introduced by Mr. Hicks, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

HUGG,  
Chairman.

Which report was concurred in.

Senator Johnson of Madison introduced Senate Bill No. 403, entitled:

A bill for an act to provide for the satisfaction of the records of mortgages executed to the State of Indiana for the use of the common school fund or of the Congressional township school fund of any county in the State of Indiana where the same has been satisfied in fact, but not of record, and where a mortgage has been placed of record and the loan never completed and the money paid over.

Read first time and referred to the Committee on Judiciary.

Senator Johnson of Madison introduced Senate Bill No. 404, entitled :

A bill for an act to create the office of Food and Dairy Commissioner of the State of Indiana, providing for the appointment and election of such commissioner, fixing his term of office and his salary, prescribing his duties, providing for the appointment of assistant commissioners, authorizing such commissioners to use a seal, requiring him to give bond and fixing the amount thereof, making an appropriation to defray the expenses of such office during the first year and repealing all conflicting laws.

Read first time and referred to the Committee on Public Health.

Senator O'Connor introduced Senate Bill No. 405, entitled :

A bill for an act to legalize the incorporation of the town of Wolcott, White County, Indiana, the election and qualification of its Board of Trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, assessment and collection of taxes and other matters connected therewith and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Holler offered the following Senate Resolution, No. 37 :

MR. PRESIDENT:

As Chairman of the Prison Committee, I beg leave to submit the following report of the expenses incurred during the recent trip to the Southern Prison, for which I have examined an itemized and receipted bill: Hotel expenses, \$15.35. I therefore move the following resolution:

*Resolved*, That the Senate instruct the Assistant Secretary to issue a warrant in favor of C. Pelzer for the sum of \$15.35.

C. HOLLER,  
Chairman.

Which resolution was adopted.

Senator Phares moved to reconsider the vote by which the majority report on Senate Bill No. 168 was concurred in.

Senator Hubbell moved to suspend the consideration of Senator Phares' motion until to-morrow morning.

Which motion prevailed.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 331, the same being a bill for an act providing for medical attention to poor persons not inmates of county asylums or city hospitals, and matters relating thereto, repealing all laws in conflict herewith and declaring an emergency, introduced by Mr. O'Connor, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHARLES S. GOAR,  
Chairman.

Which report was concurred in.

On motion of Senator Bobilya the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## THURSDAY MORNING.

FEBRUARY 11, 1897.

The Senate convened at 10 o'clock with Lieutenant Governor Haggard in the chair.

Prayer was offered by Rev. Dr. Berry of Indianapolis.

The Journal was ordered read.

After a portion of the same had been read, the further reading was dispensed with, on motion of Senator Self.

Senate Bill No. 71 was taken up as a special order for 10 o'clock.

Senator Shiveley moved that the further consideration of said bill be indefinitely postponed.

Which motion prevailed.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 387, introduced by Senator Hubbell, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUBBELL,  
Chairman.

Which report was concurred in.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred House Bill No. 486, introduced by Mr. Elliott of Henry, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUBBELL,  
Chairman.

Which report was concurred in.



Senator Humphreys called up House Bill No. 424, which was read a second time by title.

Senator Humphreys moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Duncan, Early, Gilbert, Gochenour, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White. Total, 37.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Duncan, Early, Ellison, Gochenour, Gostlin, Hogate, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White and Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Duncan's motion to reconsider the vote by which Senate Bill No. 117 failed to pass, made yesterday, was taken up for consideration and the motion prevailed.

Senator Duncan then offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 117 be recommitted to the author with instructions to substitute therefor a bill for an act and converting the Southern Prison into a reformatory, making the Northern Prison a prison for the incarceration of incorrigible criminals—those over thirty years of age, and murderers in the first and second degree, in the words and figures following :

DUNCAN.

Which motion prevailed.

A bill for an act to establish the Indiana Reformatory, provide for the appointment of a board of managers and other officers to conduct and control the same, and authorizing them to prescribe rules and regulations for the government thereof and the prisoners therein, the character of persons who may and shall be confined therein, the manner of procedure in the trial of all felony cases, except treason and murder in the first and second degree, when the prisoner is more than sixteen and less than thirty years of age, and the sentences that shall be passed upon such persons, and the manner in which such sentences shall be executed, and the transfer of prisoners to and from said reformatory and the State prison, changing the name of the Indiana State Prison North, providing for the transfer of the property, contracts and control of the State Prison South to said reformatory, regulating the disposition of the earnings and certain other matters relating thereto, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That the Indiana State Prison South, from and after the 1st day of April, 1897, is hereby made and shall thereafter be known as the Indiana Reformatory, for the incarceration of those therein confined, except as hereinafter provided, and of male prisoners found guilty by any of the courts of this State of a felony other than treason or murder in the first or second degree, and who are more than sixteen years of age and less than thirty years of age, or who may be transferred thereto under the provisions of this act.

**Sec. 2.** The Indiana State Prison North, from and after the 1st day of April, 1897, is hereby made and shall thereafter be known as the Indiana State Prison, for the incarceration of male persons convicted by any of the courts of this State of treason or murder in the first or second degree, of those persons now confined therein, except as hereinafter provided, and of all persons convicted by any of the courts of this State of any felony who at the time of such conviction may be thirty years of age or over, and of all persons who may be transferred thereto under the provisions of this act.

**Sec. 3.** That the government and control of said Indiana Reformatory, and of the prisoners sentenced thereto, shall be vested in a Board of Managers, to consist of four (4) members, and not more than two (2) members of said board, at any time, shall belong to the same political party, to be appointed by the Governor, one to serve one year, one two years, one three years and one four years, as may be designated by the Governor at the time of their appointment; and at the expiration of the term of office of each member of the board, his successor shall be appointed in the manner and by the authority as hereinbefore provided, for the term of four (4) years. When a vacancy occurs in the Board of Managers otherwise than by the expiration of the term of office of a manager, such vacancy shall be filled by appointment by the Governor for the unexpired term: *Provided*, That the Governor may remove any of the managers for misconduct or neglect of duty, after an opportunity to be heard upon written charges. Such board shall have general charge and supervision of said Indiana Reformatory, and shall conduct the same strictly upon non-partisan principles. They shall have no compensation for their services, but they shall be allowed their reasonable traveling and other official expenses, to be paid as other expenses of said Indiana Reformatory are paid.

**Sec. 4.** The Board of Directors of the Indiana State Prison South is hereby directed to transfer to the Board of Managers of the Indiana Reformatory such prison, with all the convicts and prisoners therein, and all property thereto belonging, on the first day of April, 1897. Said Board of Managers of such Reformatory shall carry out all contracts and perform all undertakings made and entered into by said Board of Directors, and

shall be authorized to enforce and secure the performance of the same by all persons, firms and corporations that have made and entered into the same. Said Board of Managers shall confer with the Directors of the Indiana State Prison, and said boards are hereby authorized, with the approval of the Governor, to remove from said Reformatory all prisoners thirty years of age or over, and all prisoners under thirty years of age who, in the opinion of both of such boards and the Governor, would not be proper persons to remain in such Reformatory, and such boards shall have authority, with the approval of the Governor, to remove from said Indiana State Prison to said Reformatory all prisoners under thirty years of age who would be fit persons to be in the custody of such Board of Managers of said Reformatory: *Provided, however,* That no person shall be so removed who has less than six months of the time for which he was sentenced to remain in either said Prison or Reformatory at the time the order for such removal is approved by the Governor. The actual expense of such transfer of said prisoners shall be paid out of any funds in the State Treasury not otherwise appropriated, such amount to be paid by a warrant issued by the Auditor of State upon an itemized statement of such actual expense made jointly by the boards of such Prison and Reformatory.

SEC. 5. The Board of Managers shall, when appointed as aforesaid, have the charge and management of said reformatory. The president of the board shall be the member having the shortest term to serve. Three members of the board shall constitute a quorum for the organization of the board, and for the transaction of all business. The managers shall give so much of their time and attention to the affairs of the reformatory as shall insure the wise, efficient and faithful management thereof. They shall appoint a general superintendent and they shall have power to remove him for any cause impairing his faithful and intelligent administration of office, after opportunity shall be given him to be heard upon written charges. All other officers and employes shall be appointed and selected by the general superintendent, and shall be removable at his pleasure; and all such officers shall be appointed only after rigid examination as to their education, trade, knowledge, moral character and fitness for the care and custody of those persons who may be sentenced to imprisonment in said

reformatory under such rules and regulations as may be prescribed by said board. The annual compensation of the general superintendent, the officers and employes, shall be fixed by the Board of Managers at their discretion, and said managers are hereby forbidden to solicit or request or in any way interfere with any appointment of any such officer or employe.

SEC 6. The Board of Managers shall examine all accounts and expenditures, with the vouchers for the same, relating to the business of the Reformatory, at least once each month, and shall certify such as are approved to the Auditor of State, and shall pay into the treasury of the State all the earnings and receipts from contracts and sales of property quarterly, except as herein provided, and they shall, on or before the 31st day of October preceding the meeting of the General Assembly, report to the Legislature, through the Governor, the condition of said Reformatory, their proceedings in regard to inmates, with a detailed statement of all moneys expended, together with such recommendations as they shall deem proper. It shall be the duty of the Managers to provide for the thorough training of each and every inmate in the common branches of an English education; also in such trade, industry or handicraft, and to offer such rewards as will enable him, upon his release, to more surely earn his own support and make him a more self reliant and self-supporting citizen. For this purpose said Managers shall establish and maintain common schools and trade schools in said Reformatory, and make all needful rules and regulations for the government of the same, and do such other acts as may be necessary to accomplish such results. Special meetings of the board may be held when the exigencies of the institution demand the same, upon the call of the President or otherwise, as the board may prescribe.

SEC. 7. The General Superintendent, before entering upon the duties of his office, shall execute a bond to the State of Indiana, with sureties to be approved by the Board in the sum of twenty-five thousand dollars (\$25,000), conditioned for the faithful performance of all his duties as such General Superintendent. He shall reside at the institution and shall be (*ex-officio*) the Secretary of the Board, taking charge of all its books and papers. He shall have charge of the lands, buildings, furniture, apparatus, tools, stock, provisions, and every

other species of property belonging to the institution, and shall account to the Board in such manner as they may require for all the property entrusted to him. His books shall, at all times, be open to the inspection of the Governor or his representative, and to the inspection of the Board, and the Board shall, at least, once in every month, carefully examine all accounts, vouchers and documents connected therewith, and make a record of the result of such examination, in a book provided for that purpose. He shall have charge of the inmates of the institution, shall discipline, govern, instruct, employ and use his best efforts to reform them.

SEC. 8. In all cases of felony tried hereafter before any Court or jury in this State, if the Court or jury find the person on trial guilty of a felony, it shall be the duty of such Court or jury to further find and state whether or not the defendant is over sixteen (16) years of age and less than thirty (30) years of age. If such defendant be found to be between said ages, and he be not guilty of treason or murder in the first or second degree, it shall only be stated in finding of the Court or verdict of the jury, that the defendant is guilty of the crime charged, naming it, and that his age is that found by it or them to be his true age, and the Court trying such person shall sentence him to the custody of the Board of Managers of the Indiana Reformatory to be confined at the Reformatory or at such place as may be designated by such Board of Managers, where he can be most safely and properly cared for, as guilty of the crime found in such finding or verdict, and that he be confined therein for a term not less than the minimum time prescribed by the statutes of this State, as a punishment for such offense, and not more than the maximum time prescribed by such statutes therefor, subject to the rules and regulations established by such Board of Managers of said Reformatory to receive all such convicted persons, and all existing laws requiring the courts of this State to sentence such persons to the penitentiaries or prisons of this State, are hereby modified and changed as to make it the duty of such courts to sentence such prisoners to the Indiana Reformatory. The Board of Managers may terminate such imprisonment when the rules and requirements of such Reformatory have been lived up to and fulfilled, according to the provisions of this act.

**SEC. 9.** The Clerk of each Court that sentences a criminal to said Reformatory, shall furnish to the General Superintendent thereof, together with the commitment of said criminal, a record containing a copy of the indictment or information filed in the case, the name and residence of the Judge presiding at the trial, also of the jurors and witnesses sworn at the trial, with a statement of any fact or facts which the presiding Judge may deem important or necessary for the full comprehension of the case.

**SEC. 10.** The Board of Managers shall have the power, with the consent of the Governor, to transfer temporarily to the Indiana State Prison, any prisoner who, subsequent to his committal, shall be shown to their satisfaction to have been, at the time of his conviction, more than thirty years of age, or to have been previously convicted of a felony, and may also transfer any apparently incorrigible prisoner, whose presence in the Reformatory appears to be seriously detrimental to the well-being of the institution. And such Managers may, by written requisition, require the return to the Reformatory of any person who may have been so transferred. Each person so transferred to such prison shall be held therein and subject to all the rules and discipline of such prison, for the full maximum term provided by the law for the crime of which he was convicted, unless recalled to the Reformatory as herein provided by the Board of Managers. And it shall be the duty of the Warden of the Indiana State Prison to receive such prisoners as may be transferred to him and properly care for them till such time as their return may be asked for by the Board of Managers or expiration of sentence.

**SEC. 11.** The said Board of Managers shall have power to establish rules and regulations under which prisoners within the Reformatory may be allowed to go upon parole outside of the reformatory building and enclosure, but to remain, while on parole, in the legal custody and under control of the Board of Managers and subject at any time to be taken back within the enclosure of said Reformatory; and full powers to enforce such rules and regulations to retake and imprison any inmate so upon parole is hereby conferred upon said board, whose order, certified by its Secretary, and signed by its President, with the seal of the Reformatory attached thereto, shall be a



sufficient warrant for the officer named in it to authorize such officer to return to actual custody any conditionally released or paroled prisoner; and it is hereby made the duty of all officers to execute said order the same as ordinary criminal process: *Provided*, That no prisoner shall be released on parole until the said Board of Managers shall have satisfactory evidence that arrangements have been made for his honorable and useful employment for at least six months while upon parole, in some suitable occupation.

SEC. 12. It shall be the duty of said Board of Managers to adopt such rules concerning all prisoners committed to their custody, as shall prevent them from returning to criminal courses, best secure their self-support and accomplish their reformation. When any prisoner shall be received into said reformatory, the General Superintendent shall cause to be entered in a register the date of such admission, the name, age, nativity, nationality, with such other facts as can be ascertained of parentage, education, occupation and early social influences as seem to indicate the constitutional and acquired defects and tendencies of the prisoner, and based upon these, an estimate of the present condition of the prisoner and the best probable plan of treatment, and the physician of said reformatory shall make a careful examination of each prisoner when received, and shall enter in a register to be kept by him the results thereof. Upon the General Superintendent's register shall be entered, from time to time, minutes of observed improvement or deterioration of character, and notes as to the methods and treatment employed; also, all alterations affecting the standing or situation of such prisoner, and any subsequent facts or personal history which may be brought officially to his knowledge, bearing upon the question of the parole or final release of said prisoner. And it is hereby provided that whenever in the opinion of the Board of Managers any prisoner on parole has violated the conditions of his parole or conditional release (by whatever name) as affixed by the managers he shall, by a formal order entered in the manager's proceedings, be declared a delinquent, and shall thereafter be treated as an escaped prisoner owing service to the State, and shall be liable when arrested, to serve out the unexpired term of his maximum imprisonment, and the time from the date of his declared delinquency to the date of his arrest shall not be counted as any part or



portion of time served. And any prisoner at large, upon parole, or conditional release, who shall commit a fresh crime, and upon conviction thereof shall be sentenced anew to the Reformatory or the Indiana State Prison shall be subject to serve the second sentence after the first sentence is served or annulled, said second sentence to commence from the termination of his liability upon the first or former sentence.

SEC. 13. It shall be the duty of the General Superintendent to keep in communication, as far as possible, with all prisoners who are upon parole, and when, in his opinion, any prisoner has for one year so conducted himself as to merit his discharge, and has given evidence that is deemed reliable and trustworthy, that he will remain at liberty without violating the law, and that his final release is not incompatible with the welfare of society, the General Superintendent shall make a certificate to that effect to the Board of Managers, and, after written notice to all the managers, the Board shall, at the next meeting thereafter, consider the case of the prisoner so presented; and when said board shall find that said prisoner has so done, he shall be entitled to his final discharge, and said board shall cause a record of the case of said prisoner to be made, showing the date of his commitment to the Reformatory, his record while detained therein, the date of his parole, his record while on parole, and their reason for entering his final discharge. Said record shall be signed by the managers and attested by the Secretary with the seal of the Reformatory, and sent to the Court that sentenced said prisoner to the Reformatory. The Clerk of said Court shall copy said record upon the order book of said Court and acknowledge the receipt thereof to the General Superintendent, who shall enter the same in the proper record. Nothing in this act shall be construed as impairing the power of the Governor to grant a pardon or commutation in any case.

SEC. 14. It shall be the duty of the General Superintendent to appoint an agent to aid and secure, if possible, proper employment for all prisoners who have so conducted themselves as to be entitled to go out from said Reformatory upon parole, and also for those who have become entitled to an absolute discharge before the maximum time for which he was sentenced.

**SEC. 15.** The laws that govern the prisoners of this State, so far as they relate to the prevention of escapes and the suppression of riots, revolts, mutinies or insurrections, or the punishment of crimes committed in the penitentiaries, are hereby made applicable to and declared to be in force in the Indiana Reformatory.

**SEC. 16.** All convicts in the Reformatory at the time the Board of Managers hereby created takes possession of the Prison South, and all who shall thereafter come under the control of said Board shall be entitled to all the benefits and subject to all the provisions of this act and the rules and regulations made by such Board.

**SEC. 17.** That the Board of Managers of said Reformatory shall cause an accurate account to be kept of all receipts and expenditures of said Reformatory and the business transactions thereof. That out of the money received by them from the earnings of the prisoners therein confined and the sale of products of the labor of such prisoners, said Board shall have authority to pay the salaries of all officers and employes of such Reformatory, and such portion as shall not be required for the payment of such salaries shall be converted quarterly into the State treasury and receipted for by the Treasurer of State.

**SEC. 18.** Whereas an emergency exists for the passage and the immediate taking effect of this act, the same is declared to be in force and effect from and after its passage.

HOLLER,  
DUNCAN,  
ELLISON.

Senator Holler, the Committee of one to which was referred Senate Bill No. 117, with instructions, made the following report:

MR. PRESIDENT:

Your Committee of one, to which was referred the motion of Senator Duncan, begs leave to say that he has substituted the bill mentioned in his motion for the original Engrossed Senate Bill No. 117.

Which report was concurred in.

Senator Shiveley moved to have Substitute Senate Bill No. 117 printed.

Which motion prevailed.

Senator Collett called up House Bill No. 510.

The bill was read a second time by title.

Senator Collett moved that the constitutional rule requiring that bills be read on three several days be suspended and that the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 45.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shiveley, Stroup, Sweeney, Watson, White. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Self called up House Bill No. 351.

The bill was read a second time by title.

Senator Self moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill be read a third time by sections.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gill, Goar, Gochenour, Goodwine, Goslin, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shiveley, Stroup, Watson, White. Total, 41.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, White. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 400, introduced by Mr. Stetler, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 399, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 398, introduced by Senator New, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 150, introduced by Mr. James, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 42, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.  
HOUGHTON,  
LAFOLLETTE,  
DRUMMOND,  
WOOD,  
EARLY,  
HUBBELL,  
SHEA,  
ELLISON,  
WATSON.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 42, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

SHIVELEY.

The question being, Shall the minority report be substituted for the majority report?

And by a *viva voce* vote the substitution failed to be made.  
And the majority report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 373, introduced by Senator Gill, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be re-referred to the Committee on Railroads.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 317, introduced by Senator Nusbaum, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 296, introduced by Senator Horner, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 272, introduced by Senator Alexander, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 390, introduced by Senator LaFollette, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 58, introduced by Mr. Sutton, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.



Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 73, introduced by Mr. Lambert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 395, introduced by Senator Schneck, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 384, the same being a bill introduced by Senator Ellison, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 276, the same being a bill introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be printed for the information of the Senate.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 381, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 382, introduced by Senator Johnson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Shiveley presented a petition signed by divers and sundry citizens of the State asking that no change be made in the mechanics' lien law as it now stands on the statute books.

Which was referred to Committee on Judiciary.

Senator Johnson presented a petition signed by divers and sundry citizens of the State of Indiana praying that anti-cigarette legislation be enacted.

Which petition was referred to the Committee on Public Health.

Senators Culbert, Gilbert, O'Brien, Hugg, Alexander, Duncan, Wood and Gostlin presented petitions signed by divers and sundry citizens of the State of Indiana, protesting against the manufacture and sale of cigarettes and cigarette wrappers in the State of Indiana.

All of which were referred to the Committee on Public Health.

Senator Alexander presented a petition signed by divers and sundry school teachers of Whitewater, Blooming Grove and Fairfield townships, Franklin County, Indiana, asking that he use all honorable means to secure the passage of Senate Bill No. 59.

Referred to Committee on Education.

Senator Wood demanded the regular order.

Senator Nusbaum called up Senate Bill No. 82.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 147, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 125, with engrossed House amendment thereto, and the same is herewith returned to the Senate for its concurrence.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 147, entitled :

A bill for an act to enlarge the powers of Trustees of incorporated towns in the State of Indiana.

Read first time and referred to the Committee on Cities and Towns.

Senator Holler made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 82 be recommitted to its author with instruction to strike out section 2 of the bill.

HOLLER.

Which motion did not prevail.

Senator LaFollette made the following motion :

MR. PRESIDENT :

I move to re-commit the bill to its author with instruction to strike out the word "twenty" in line 8, section 4.

LAFOLLETTE.

Which motion prevailed.

Senator Gilbert made the following motion :

MR. PRESIDENT :

I move to re-commit Senate Bill No. 82 to its author with instruction to amend the same by striking out the words "or offer for sale," in line 8 of section 1.

Which motion prevailed on a division by which 22 voted in the affirmative and 16 in the negative.

A demand was made by Senator Nusbaum for a verification of the vote by which Senator Gilbert's motion prevailed.

Senator Gilbert made the point of order that no vote but that of "ayes" and "noes" on a roll-call could be verified.

Which point, the Chair held, was well taken.

Senator Newby moved that the vote by which Senator Gilbert's motion prevailed be reconsidered.

Which motion prevailed.

The vote was then reconsidered and the motion of Senator Gilbert was lost by a division of 12 in the affirmative to 22 in the negative.

The roll was then called on the passage of Senate Bill No. 82.

Those voting in the affirmative were:

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Goar, Gochenour, Goodwine, Hawkins, Horner, Hubbell, Humphreys, Johnston of Dearborn, LaFollette, Nusbaum, O'Connor, Patten, Rinear, Shea, Shiveley, Stroup. Total, 22.

Those voting in the negative were:

Senators Ball, Bethell, Bozeman, Collett, Duncan, Early, Gilbert, Gostlin, Hogate, Holler, Houghton, Hugg, Johnson of Madison, Kerns, Leich, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Sweeney, Watson, White. Total, 25.

So the bill failed to pass.

Senator O'Brien called up Senate Bill No. 254.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the infirmative were:

Senators Alexander, Ball, Bethell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White. Total, 89.

Senators Bobilya and Campbell voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator O'Connor called up Senate Bill No. 118.

Which was read and put upon its passage.

Senator Ball moved that Senate Bill No. 118 be made a special order for this afternoon at 2 o'clock.

Which motion was lost by a standing vote of 7 in the affirmative to 14 in the negative.

Senator Sweeney moved that the Johnson County High School be admitted to the Senate floor.

Which motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 246, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 246, entitled a bill for an act introducing a new mathematical truth and offered as a contribution to education, to be used only by the State of Indiana, free of cost, by paying any royalties whatever on the same, provided it is accepted and adopted by the official action of the Legislature of 1897.

Read and referred to the Committee on Temperance.

The roll was then called on the passage of Senate Bill No. 118.

Those voting in the affirmative were :

Senators Bozeman, Drummond, Duncan, Ellison, Gilbert, Holler, Kerns, LaFollette, Nusbaum, O'Brien, O'Connor, Rinear, Shea, Sweeney, Wood. Total, 15.

Those voting in the negative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Early, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Horner, Hubbell, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Leich, Mull, New, Newby, Patten, Phares, Shiveley, Stroup, Watson, White. Total, 30.

So the bill failed to pass.

Senator Hawkins made the following motion :

MR. PRESIDENT :

I move that the Senate concur in the amendments of the House to Senate Bill No. 125.

HAWKINS.

Which motion prevailed.

On motion of Senator Rinear, the Senate adjourned.

## THURSDAY AFTERNOON.

FEBRUARY 11, 1897.

The Senate convened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

Senator Patten called up Senate Bill No. 308.

The bill was read a third time and put upon its passage.

Senator LaFollette made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 308 to its author, with instructions to amend by inserting in line 5, immediately after the word "employ," the words, "in such capacity;" also, by adding at the close of such section the words, "unless he has procured such a certificate."

LAFOLLETTE.

Which motion prevailed.

Senator Early made the following motion :

MR. PRESIDENT :

I move to commit Senate Bill No. 308 to its author with instructions to substitute the word "or" for the word "and" in line four of section 5.

EARLY.

Which motion prevailed.

Senator Newby made the following motion :

MR. PRESIDENT :

I move to re-commit Senate Bill No. 308 to its author with instructions to strike out all that part of section 6 from the word "and" in line 8, to and including the word "dollars" in line 5 of said section.

NEWBY.

Which motion prevailed.

Senator Houghton made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 308 to its author with instructions to insert the word "Washington" after the word "Terre Haute," in line 3 of section 4 thereof.

HOUGHTON.

Which motion prevailed.

Senator Horner, a committee of one, to which was referred Senate Bill No. 308, with instructions to amend, made the following report:

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 308, with instructions to make specific amendments, begs leave to report the same back to the Senate, amended according to the instructions in the motions to recommit of Senators LaFollette, Newby, Early and Houghton.

HORNER.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.



Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Early, Gilbert, Gill, Goar, Gochenour, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patton, Phares, Rinear, Schneck, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 43.

Senator Duncan voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Phares called up Senate Bill No. 139.

The bill was read a third time.

Senator Shiveley made the following motion :

MR. PRESIDENT :

I move to amend section 1 of Senate Bill No. 139 by adding to the end of the section the following: "Upon an itemized statement, sworn to; and no day shall be allowed for unless at least eight hours of time has been given by said Trustee."

SHIVELEY.

Which motion prevailed.

Senator Self made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 139 be recommitted to its author, with instructions to amend the bill by inserting the word "free" between the words "the" and "gravel" in line 4 of section one of said bill.

SELF.

Which motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 441, 128 and 433, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 3 and 400, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 433, entitled :

A bill for an act to legalize certain bonds issued by the city of Jeffersonville, and to permit the said bonds to be refunded and declaring an emergency.

Read and referred to the Committee on Judiciary.

Engrossed House Bill No. 441, entitled :

A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana and to apportion the same among the several counties of the State.

Read and referred to the Committee on Legislative Apportionment.

Engrossed House Bill No. 128, entitled :

A bill for an act to amend section thirteen (13) of an act entitled an act authorizing the construction of plank, macadamized and gravel roads and to empower the same to make sale of a portion of their roads, approved February 28, 1855, being section 364 of the Revised Statutes of 1881.

Read and referred to the Committee on Roads.

Senator Phares, a committee of one, to which was referred Senate Bill No. 139, with instructions to amend, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Senate Bill No. 139, with instructions to make specific amendments thereto, has amended the same in accordance with said instructions and herewith return the same to the Senate for its further action.

PHARES.

Which report was concurred in.

Senator Shiveley made the following motion:

MR. PRESIDENT:

I move to recommit Senate Bill No. 139 to the author with instructions to amend section 1 thereof by inserting after the word "trustees" in line 8 of said section, the following: "of township in which are free gravel roads."

SHIVELEY.

Which motion was lost by a division of 13 in the affirmative to 14 in the negative.

The vote was retaken on demand of Senator Hogate for a verification, and the motion prevailed by a vote of 17 in the affirmative to 15 in the negative on a division.

Senator Phares, a committee of one, to which was referred Senate Bill No. 139, with instructions to make specific amendments, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Senate Bill No. 139, with instructions to amend, has amended the same according to instructions and the same is herewith returned for the further action of the Senate.

PHARES.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Bobilya, Campbell, Collett, Drummond, Early, Ellison, Gilbert, Goodwine, Hawkins, Hogate, Horner, Houghton, Hugg, Johnson of Madison, New, Phares, Shiveley, Watson, White and Wood. Total, 20.

Those voting in the negative were :

Senators Alexander, Ball, Bethell, Culbert, Duncan, Gill, Goar, Gochenour, Holler, Humphreys, Johnston of Dearborn, Kerns, Leich, Mull, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Stroup, Sweeney. Total, 22.

So the bill failed to pass.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 111, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 111 :

A bill for an act providing for the creation of a Labor Commission and defining its duties and powers, and providing for arbitration and investigation of labor troubles.

Read the first time and referred to the Committee on Labor and Labor Statistics.

The Committee on Prisons made the following reports :

MR. PRESIDENT :

A majority of your Committee on Prisons, to which was referred Senate Bill No. 401, introduced by Senator Gilbert, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

C. HOLLER,  
W. H. WATSON,  
H. S. NEW,  
J. D. EARLY,  
H. C. DUNCAN.

MR. PRESIDENT:

A minority of your Committee on Prisons, to which was referred Senate Bill No. 401, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

ELLISON,  
SHEA.

The question being, Shall the minority report be substituted for the majority report?

By a *viva voce* vote the substitution failed to be made, and the majority report was adopted.

Senator Shea called up Senate Bill No. 235.

The bill was read a third time.

Senator Drummond made the following motion:

MR. PRESIDENT:

I move to recommit Senate Bill No. 235 to its author with instructions to amend by inserting after the word "estate," in lines 2, 6, 7 and 9, section 1, the words "or personal property."

DRUMMOND.

Which motion did not prevail.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Drummond, Ellison, Gilbert, Gill, Gochenour, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Mull offered the following amendment to the title:

MR. PRESIDENT:

I move to amend the title of Senate Bill No. 235 by substituting therefor the following:

A bill for an act relating to sales of real estate by receivers and by assignees and trustees under the law of voluntary assignments, and declaring an emergency.

MULL.

Which amendment was adopted.

The title of the bill as amended was ordered to stand as the title of the act.

Senator Humphreys presented a petition signed by the county officers and others of Sullivan County asking that one John D. Alumbaugh and wife be exempted from paying taxes.

Which was referred to the Committee on Judiciary.

Senator Schneck called up Senate Bill No. 279.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Bozeman, Ellison, Holler, Houghton, Hubbell, Newby, Schneck, Self, Watson. Total, 9.

Those voting in the negative were:

Senators Ball, Campbell, Collett, Culbert, Drummond, Duncan, Gilbert, Gill, Gochenour, Goodwine, Hogate, Horner, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Shiveley, Stroup, Sweeney. Total, 27.

So the bill failed to pass.

On motion of Senator Newby the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EENEW,  
Assistant Secretary of the Senate.

## FRIDAY MORNING.

FEBRUARY 12, 1897.

The Senate convened at 10 o'clock, with Lieutenant-Governor Haggard in the chair.

The Journal was ordered read, and after a portion of the same had been read the further reading was dispensed with, on motion of Senator Kerns.

Senator Shiveley introduced (by request) Senate Bill No. 406, entitled a bill for an act to provide for the greater purity of elections, for the casting and registering of votes by means of voting machines, and supplementary to and in aid of an act entitled "An act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith," approved March 6, 1889, and all laws supplementary thereto and amendatory thereof, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Ellison introduced Senate Bill No. 407, entitled a bill for an act to amend section one (1) of an act entitled "An act concerning liens of mechanics, laborers and material men, amending sections 1, 2, 3 and 6 of an act entitled "An act concerning liens of mechanics, laborers and material men, approved March 6, 1883," repealing section 5 of said act amending section 1 of an act entitled "An act concerning liens of mechanics, laborers and material men, approved April 13, 1885," repealing all laws and parts of laws in conflict therewith and declaring an emergency. (Approved March 9, 1889.)

Read first time and referred to Committee on Judiciary.

Senator Gostlin introduced Senate Bill No. 408, entitled :

A bill for an act to legalize the incorporation of the city of East Chicago, in Lake County, Indiana, and to legalize the election and qualification of the several common councils and other officers, and all acts and ordinances, resolutions and by-

laws, and the levying, assessment and collection of taxes and other proceedings of the common councils of said city and declaring an emergency.

Read first time and referred to the Committee and Cities and Towns.

Senator Hawkins introduced Senate Bill No. 409, entitled :

A bill for an act appropriating money for the payment of the claims of Theodore E. Brown, surviving partner of the co-partnership of the said Theodore E. Brown and Thomas Hale, known under the firm name and style of Theodore E. Brown & Co., for sprinkling Blackford street from New York street to Wabash street, for sprinkling Market street from Mississippi street to Blackford street, and for sprinkling Wabash street from West street to Blackford street, in the city of Indianapolis, where said streets abut on grounds belonging to the State of Indiana, and occupied and used for a park known as the Military Park and for what is generally known as the Friendly Inn, and declaring an emergency.

Read first time and referred to the Committee on Claims and Expenditures.

Senator Hawkins introduced Senate Bill No. 410, entitled :

A bill for an act concerning County Commissioners and their compensation in counties having their county seats located in a civil township containing an area of not less than one hundred and eleven square miles, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Nusbaum introduced Senate Bill No. 411, entitled :

A bill for an act to regulate the sale of hay, grain, feed, and other articles and food products by any person, firm or corporation carrying on any feed stable, stockyard or other public or private place where animals or livestock of any kind are kept or boarded or entertained for hire; prescribing certain duties and restrictions upon registers; providing a maximum price for



which said food products shall be sold; providing a penalty for the violation of the provisions of this act, and declaring an emergency.

Read first time and referred to the Committee on Corporations.

Senator Gilbert introduced Senate Bill No. 412, entitled:

A bill for an act authorizing the appointment of short-hand reporters to take down in short hand testimony given before grand juries of this State, regulating their duties, fixing their compensation, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Early introduced Senate Bill No. 413, entitled:

A bill for an act concerning the paving of streets and alleys in cities and towns, and providing for the mode and manner of the payment of the same, and permitting such corporations to issue bonds in certain cases, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Wood introduced Senate Bill No. 414, entitled:

A bill for an act to amend sections one (1) and two (2) of an act to amend sections one (1), three (3), five (5) and seven (7) of an act entitled an act to establish city courts in cities having a population of over six thousand inhabitants, defining their jurisdiction and the mode of procedure therein; approved March 12, 1875, and being sections 3204, 3206, 3207, 3209 of the Revised Statutes of 1881, and declaring an emergency, approved February 20, 1891, being sections 3204 and 3207 of the Revised Statutes of 1881, and repealing all laws in conflict therewith.

Read first time and referred to the Committee on Judiciary.

Senator Wood introduced Senate Bill No. 415, entitled:

A bill for an act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith.

Read first time and referred to the Committee on Judiciary.

Senator Culbert presented a petition signed by numerous citizens of the State of Indiana protesting against any change in the mechanics' lien law.

Which petition was referred to the Committee on Judiciary.

Senator Mull presented a petition signed by divers mechanics and material men of Greenfield, and also one signed by numerous mechanics and material men of Fortville, protesting against the changes in the mechanics' lien law contemplated in Senator Phares' bill (Senate Bill No. 220).

Which was referred to the Committee on Judiciary.

Senator Mull introduced Senate Bill No. 416, entitled :

A bill for an act for the more perfect auditing of moneys distributed by the different departments of State Government.

Read first time and referred to the Committee on Judiciary.

Senator Horner introduced Senate Bill No. 417, entitled :

A bill for an act to amend sections 1 and 12 of an act entitled an act providing for a homestead, and exempting it from sale on execution, and exempting certain personal property from attachment and sale on execution or distress for rent, and repealing all laws in conflict herewith, approved March 29, 1879, the same being sections 703 and 715 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Judiciary.

Senator Johnson presented a petition signed by many citizens of Grant County praying that anti-cigarette legislation be enacted.

Which was referred to the Committee on Public Health.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that they have examined Enrolled Senate Bill No. 125, introduced by Senator Hawkins, and have compared the same with the engrossed bill and find that said bill has been properly enrolled.

Which report was concurred in.

Senator Hawkins moved that Senate Bill No. 354 be recommitted to the Committee on Fees and Salaries.

Which motion prevailed.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Engrossed House Bill No. 127, introduced by Mr. Linck, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the title of said bill be amended to read as follows:

A bill for an act defining the Fifth and Seventh Judicial Circuits of the State of Indiana, and fixing the times of holding courts in said circuits, prescribing the length of terms thereof, providing for the return of process therein, repealing all laws in conflict therewith, and declaring an emergency.

And that section 1 of said bill be amended by adding to said section the following:

“ And that the counties of Dearborn and Ohio shall constitute the Seventh Judicial Circuit of the State of Indiana, and the terms of court in the Seventh Judicial Circuit shall be held as now provided by law, and that when so amended that said bill do pass.

SHIVELEY,  
Chairman.

Which report was concurred in.

Senator New, Chairman of the Committee on Temperance, made the following report:

MR. PRESIDENT:

Your Committee on Temperance, to which was referred Senate Bill No. 282, introduced by Senator Hubbell, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

NEW,  
Chairman.

Which report was concurred in.

Senator New, Chairman of the Committee on Temperance, made the following report :

MR. PRESIDENT :

Your Committee on Temperance, to which was referred House Bill No. 246, introduced by Mr. Record, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.

Which report was concurred in.

Senator LaFollette, Chairman of the Committee on Insurance, made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Senate Bill No. 183, introduced by Senator Leich, begs leave to report that it has had the same under consideration, and recommends that the same be indefinitely postponed.

LAFOLLETTE,  
Chairman.

Which report was concurred in.

Senator LaFollette, Chairman of the Committee on Insurance, made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Senate Bill No. 94, introduced by Senator Early, has had the same under consideration, and begs leave to report that it recommends a substitute, which is presented herewith, and when substituted that the same do pass.

LAFOLLETTE,  
Chairman.

Which report was concurred in.

Substitute Bill for Senate Bill No. 94, entitled :

A bill for an act to provide for the better security of the holders of policies of life insurance, issued by life insurance companies or associations organized in this State, by the deposit of the securities with the Auditor of State in certain cases and the maintenance thereof; regulating the manner and conditions of such deposit, and the withdrawal, change or substitution of such securities; prescribing the duties of the Auditor of State in relation thereto, and specifying the contracts of insurance which may be made by life insurance companies or associations making and maintaining such deposits, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* Any life insurance corporation or association organized under any law in this State shall have the right, for the better security of policy holders, to deposit with the Auditor of State the net cash value of each and every policy in force upon the basis of the American Experience Table or the Actuaries' Combined Experience Table of Mortality, and four per cent. interest in United States bonds, State, county, township or municipal bonds, or first mortgages upon real estate worth at least twice the amount loaned thereon, or certificates of deposits of any solvent bank or trust company of the State of Indiana, such deposit to be in no case less than \$50,000. For the purpose of ascertaining said net cash value of such policies in force the Auditor of State may annually employ a competent actuary, who shall be paid by the corporation or association for which the service is rendered, or he may accept the valuation of the corporation or association upon satisfactory evidence of its accuracy. Such securities so deposited may be withdrawn by the corporation or association only for the settlement of policy claims or for reissuance and as herein otherwise provided. Upon making such deposit on such annual valuation the Auditor shall issue to such corporation or association his certificate of such deposit. Any corporation or association making such deposit shall have the right at any time to change its securities on deposit by substituting for those withdrawn a like amount of other securities of the character herein provided for, and shall be permitted to collect the interest accruing on such deposits, the Auditor delivering to its authorized

agent the coupons or other evidences of interest as the same become due, and whenever the annual valuation of policies outstanding and in force against the company or association is less than the value of security then on deposit with the Auditor, said company or association shall have the right to withdraw such excess. Any company or association making and maintaining such deposit may issue all forms of life insurance contracts, including endowment and annuity contracts, and do a general life insurance business, subject to the laws for the regulation of corporations or associations doing such business.

**SEC. 2.** The Auditor of State shall, at the time such deposit is made, and annually thereafter at the time of ascertaining the said net cash value of the policies in force, as herein provided, appraise the value of the securities deposited with him, and if such appraisal should show that the value of the same is less than the net value of such outstanding policies, such corporation or association shall, within ninety days thereafter, make up the deficiency in securities of the character herein provided, otherwise all power herein conferred shall be of no effect until such additional deposit is made.

**SEC. 3.** An emergency exists for the immediate taking effect of this act, and the same shall take effect and be in force from and after its passage.

Senator New, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report:

**MR. PRESIDENT:**

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 367, introduced by Senator New, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

**NEW,**  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 389, the same being a bill for an act regulating visiting at the hospitals for the insane introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 356, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that section 1 of said bill be amended so as to read as follows :

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That any person intending to bring an action or suit of any kind for damages on account of personal injuries against any town, city or municipality shall prepare a notice setting forth the name of the person injured, the time and place of the accident complained of, including the nature and probable extent of the injury, and such notice shall be filed with the City Clerk of the town, city or municipality against which such suit or action is to be brought, by filing the same in some court having jurisdiction thereof within two years from the date of the injury.

And when so amended that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

The Committee on Cities and Towns made the following reports :

MR. PRESIDENT:

A majority of your Committee on Cities and Towns, to which was referred Senate Bill No. 377, introduced by Senator Gill, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

HOUGHTON,  
Chairman.

MR. PRESIDENT:

The minority of your Committee on Cities and Towns, to which was referred Senate Bill No. 377, introduced by Senator Gill, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

E. E. STROUP.

The question being on the substitution of the minority report for the majority report.

The substitution was not made and the majority report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 112, introduced by Senator Mull, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

HOUGHTON,  
Chairman.

Which report was concurred in.



Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 405, introduced by Senator O'Connor, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 209, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHRISTIAN HOLLER,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 349, introduced by Senator O'Connor, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

H. C. DUNCAN.  
Chairman.

Which report was concurred in.

Senator LaFollette, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 213, introduced by Senator Hubbell, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows, by striking out section 7, and by renumbering section 8 and making the same section 7, and when so amended that the bill do pass.

Which report was concurred in.

Senator LaFollette, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 95, introduced by Senator Early, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill herewith be substituted and when substituted that the same do pass.

LA FOLLETTE.

Chairman.

Substitute for Senate Bill No. 95:

A bill for an act defining the meaning of the expression "on the assessment plan" as the same occurs in an act entitled an act to provide for organizing and regulating the business of life insurance corporations, associations and societies transacting business on what is known as the assessment plan, and fixing penalties for the violation of its provisions, and declaring an emergency, approved March 9, 1883, which title was amended by an act approved March 8, 1889, so that said title now reads as follows: "An act to provide for organizing and regulating the business of life or accident insurance corporations, associations or societies transacting business on what is known as the assessment plan, and fixing penalties for the violation of its provisions, and declaring an emergency, approved March 9, 1883," and section eight (8) of which act was amended by an act approved March 9, 1891, entitled an act to amend section 8

of an act entitled an act to provide for organizing and regulating the business of life insurance corporations, associations and societies transacting business on what is known as the assessment plan, and fixing penalties for the violation of its provisions, and declaring an emergency, approved March 9, 1883, which title was amended by an act approved March 9, 1889, so that said title now reads as follows: "An act to provide for organizing and regulating the business of life or accident insurance corporations, associations or societies transacting business on what is known as the assessment plan, and fixing penalties for the violation of its provisions, and declaring an emergency, approved March 9, 1883, and declaring an emergency," and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That any company or association organized under the provisions of the act entitled an act to provide for organizing and regulating the business of life insurance corporations, associations and societies transacting business on what is known as the assessment plan, and fixing penalties for the violation of its provisions, and declaring an emergency, approved March 8, 1889, so that said title now reads as follows: "An act to provide for organizing and regulating the business of life or accident insurance corporations, associations or societies transacting business on what is known as the assessment plan, and fixing penalties for the violation of its provisions, and declaring an emergency, approved March 9, 1883," and section 8 of which act was amended by an act approved March 9, 1891, entitled an act to amend section 8 of an act entitled an act to provide for organizing and regulating the business of life insurance corporations, associations and societies transacting business on what is known as the assessment plan, and fixing penalties for the violation of its provisions, and declaring an emergency, approved March 9, 1883, which title was amended by an act approved March 8, 1889, so that said title now reads as follows: "An act to provide for organizing and regulating the business of life or accident insurance corporations, associations or societies transacting business on what is known as the assessment plan, and fixing penalties for the violation of its provisions, and declaring an emergency, approved March 9, 1883," and declaring an emergency, and which company or association provides for

the payment of policy claims, or the payment of policy claims and the accumulation of reserve or emergency funds, and the expense of management and prosecution of its business by advance payments to be made either at periods named in the contract, or by assessment as required upon persons holding similar contracts, and wherein the insured's liability to contribute to the payment of policy claims accrued or to accrue is not limited to a fixed sum shall be deemed to be engaged in the business of life or accident insurance on the assessment plan within the meaning of said act, but nothing herein contained shall be construed as applicable to any religious or secret society of mechanics, express, telegraph or railroad employes or ex-union soldiers, or to any association or society operating under the lodge system.

SEC. 2. An emergency exists for the immediate taking effect of this act, and the same shall take effect and be in force from and after its passage.

Which report was concurred in.

Senator Self called up Senate Bill No. 268.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney and Wood. Total, 35.

Those voting in the negative were:

Senators Campbell and Johnston of Dearborn. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Shea called up Senate Bill No. 337.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bozeman, Culbert, Duncan, Ellison, Gilbert, Gochenour, Gostlin, Houghton, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson and Wood. Total, 27.

Those voting in the negative were :

Senators Bobilya, Campbell, Collett, Drummond, Gill, Holler, Johnston of Dearborn, Nusbaum, O'Connor, Patten and Swee-ney. Total, 11.

So the bill passed.

The question being, Shall the title of the bill stand as the title of this act?

It was so ordered.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 142, introduced by Mr. Blankenship, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 294, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

J. J. M. LAFOLLETTE,  
WATSON,  
WOOD,  
DRUMMOND,  
SHEA,  
EARLY.

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 294, introduced by Senator Hawkins, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

NEWBY,  
Chairman.  
SHIVELEY,  
ELLISON.

The question being, Shall the minority report be substituted for the majority report.

By a *viva voce* vote the substitution was made and substituted report concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 371, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 197, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 293, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 363, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that lines 17 to 22 inclusive of section 1, commencing at the word "provided" in line 17 to the word "paid" in line 22, both inclusive, be stricken out, and that when said bill is so amended the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 374, introduced by Senator Gill, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred House Bill No. 245, introduced by Mr. Blankenship, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman,  
HOUGHTON,  
J. J. M. LAFOLLETTE,  
ELLISON,  
J. D. EARLY,  
WOOD,  
WATSON,  
HUBBELL.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred House Bill No. 245, introduced by Mr. Blankenship, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

SHEA,  
SHIVELEY.

Senator Newby moved that House Bill No. 245, and the reports thereon, be printed before any action is taken on the reports.

Which motion prevailed.



Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 110, introduced by Senator Phares, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 370, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 376, introduced by Senator O'Connor, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 108, introduced by Senator Wood,

begs leave to report that we have had the same under consideration, and that we recommend as a substitute therefor, and that the same do pass, the following :

“ A bill for an act to amend an act entitled an act to amend section 389 of an act concerning proceedings in civil cases,” approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881, approved March 11, 1895.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That an act entitled an act to amend section 389 of an act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881, approved March 11, 1895, be amended to read as follows: That section 389 of an act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881, be amended to read as follows: “ That in all cases tried by a jury, the Court shall, at the request of either party in writing made before the introduction of any evidence, direct such jury to return a special verdict on all issues of such cases. Such special verdict shall be prepared by the counsel on either side of such cause, and shall be in the form of interrogatories so framed that the jury will be required to find one single fact in answering each of said interrogatories, which interrogatories shall be submitted to the Court, and the Court shall carefully respect said interrogatories, and shall revise the same by striking out all unnecessary ambiguous, redundant and unnatural interrogatories, cause the interrogatories as revised by the Court to be rewritten and renumbered. The jury on retiring shall take all said interrogatories as revised and rewritten, together with all the pleadings in the case, including instructions of the Court, if in writing, and shall answer each of the interrogatories submitted to them.”

L. P. NEWBY,  
Chairman,  
HOUGHTON,  
LAFOLLETTE,  
ELLISON,  
EARLY,  
WATSON.

**MR. PRESIDENT :**

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 108, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. R. WOOD.

Senator Wood moved that Senate Bill No. 108 and the substitute therefore be printed.

Which motion prevailed.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 361, introduced by Senator Duncan, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary, submitted the following report :

**MR. PRESIDENT :**

A majority of your Committee on Judiciary, to which was referred House Bill No. 87, introduced by Mr. Eichhorn, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman,  
HOUGHTON,  
LAFOLLETTE.  
ELLISON,  
W. H. WATSON,  
EARLY,  
WOOD.

**MR. PRESIDENT :**

A minority of your Committee on Judiciary, to which was referred House Bill No. 87, introduced by Mr. Eichhorn, has had the same under consideration and begs leave to report the the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

SHEA,  
SHIVELEY,  
DRUMMOND.

On motion of Senator Newby, House Bill No. 87, together with the reports, was ordered to be printed.

Senator Shiveley called up Senate No. 256.

Which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Kerns, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Watson, Wood. Total, 36.

Those voting in the negative were :

Senators Drummond, Gill, Patten. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gilbert made the following motion :

**MR. PRESIDENT :**

**WHEREAS**, To-day, February 12, is anniversary of the birth of the greatest man of the country, Abraham Lincoln, whose memory is revered in every part of the land ; therefore, be it

*Resolved*, That as a manifestation of our love and respect for the great emancipator, when this Senate adjourns it adjourn to meet at 3 o'clock P. M.

GILBERT.

Senator Watson moved to amend the motion of Senator Gilbert by fixing the time to which the Senate adjourns until Monday morning at 10 o'clock.

Which motion was lost.

Senator Wood offered the following amendment to Senator Gilbert's motion :

MR. PRESIDENT :

I move to amend by saying that when we adjourn we adjourn through respect to the memory of Abraham Lincoln, and by striking out the time of meeting.

WOOD.

Which motion prevailed.

The motion of Senator Gilbert as amended by the motion of Senator Wood then prevailed.

Senator Stroup called up Senate Bill No. 24 for third reading.

Senator Duncan made the following motion :

MR. PRESIDENT :

I move to refer the bill to its author with instruction to strike out the words twelve hundred dollars (\$1,200) in line 6 of section 1, and insert in lieu thereof \$1,000 ; also, 800 in line 12, section 1, instead of 1,200.

DUNCAN.

On motion of Senator Ellison, the Senate adjourned.

## FRIDAY AFTERNOON.

FEBRUARY 12, 1897.

The Senate reconvened at 2:00 p. m., with Lieutenant-Governor Haggard in the chair.

The question being on the motion of Senator Duncan to recommit Senate Bill No. 24 to its author.

The motion was held out of order.

Senator Hawkins, Chairman of the Committee on Legislative Apportionment, made the following report:

MR. PRESIDENT:

Your Committee on Legislative Apportionment, to which was referred House Bill No. 441, introduced by Mr. Littleton, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HAWKINS,  
Chairman.

Which report was concurred in.

The following report was received from the Auditor of State:

*Hon. W. S. Haggard, President of the Senate, Senate Chamber:*

SIR—In response to a resolution adopted by your body, I have the honor to herewith transmit an itemized statement of the moneys paid to the Treasurers of Purdue University, Indiana State Normal, and Indiana State University for the years of 1867 to 1896, inclusive.

Also, a statement of the conditions of the Endowment Funds of the State University and Purdue University at the present time.

Moneys paid to the Indiana University have been classed under the four general heads:

First. Interest on College Fund for professors' salaries.

Second. Interest on Permanent Endowment Fund for professors' salaries.

Third. Annual Appropriations.

Fourth. Specific Appropriations.

Moneys paid to the State Normal School are placed under the heads of:

First. Annual Appropriations.

Second. Specific Appropriations.

Third. School Revenue Appropriations.

Fourth. United States Appropriations.

Respectfully submitted,

A. C. DAILEY,  
Auditor of State.

### INDIANA UNIVERSITY.

<i>Year.</i>	<i>Interest College Fund— Professors' Salaries.</i>	<i>Interest Permanent Endowment Fund— Professors' Salaries.</i>
1867. ....	\$4,000 00	.....
1868.....	5,050 00	.....
1869.....	6,000 00	.....
1870.....	7,000 00	.....
1871.....	10,500 00	.....
1872.....	7,500 00	.....
1873.....	7,500 00	.....
1874.....	5,500 00	.....
1875.....	6,818 00	.....
1876.....	6,850 00	.....
1877.....	7,050 00	.....
1878.....	6,520 00	.....
1879.....	7,500 00	.....
1880.....	3,900 00	.....
1881.. ....	8,400 00	.....
1882.....	6,000 00	.....
1883.....	5,000 00	.....
1884.....	3,500 00	.....
1885.....	4,000 00	.....
1886.....	6,850 00	\$1,750 00
1887.....	3,750 00	6,825 00
1888.....	12,673 39	3,600 00
1889.....	10,500 00	7,200 00
1890.....	4,473 79	11,692 52
1891.....	7,531 70	14,696 29
1892.....	9,373 47	20,148 64
1893.....	6,400 00	18,500 00
1894.....	4,800 00	22,200 00
1895.....	8,500 00	26,200 00
1896.....	9,450 60	34,850 00

1896 AND 1897 EDUCATIONAL FUND TAX TOTALS.

Interest College Fund—Professors' salaries.....	\$202,890 35
Interest Permanent Endowment Fund—Profess- ors' salaries .....	167,162 49

<i>Year.</i>	<i>Annual Endowment.</i>	<i>Specific Endowment.</i>
1867.....	\$19,000 00	.....
1868.. ..	12,000 10	.....
1869.....	15,000 00	.....
1870.....	11,000 00	.....
1871.....	8,000 00	.....
1872.....	12,000 00	.....
1873.....	27,000 00	\$18,000 00
1874.....	27,030 00	18,000 00
1875.....	23,000 00	.....
1876 .....	23,000 00	.....
1877.....	25,500 00	.....
1878.....	23,000 00	.....
1879.....	23,000 00	.....
1880.....	20,000 00	.....
1881.....	30,000 00	.....
1882.....	25,000 00	.....
1883.....	25,000 00	.....
1884.....	23,000 00	.....
1885.....	48,000 00	13,000 00
1886.....	28,000 00	.....
1887.....	23,000 00	.....
1888.....	23,000 00	.....
1889.....	23,000 00	60,000 00
1890.....	30,000 00	.....
1891.....	30,000 00	.....
1892.....	30,000 00	5,000 00
1893 .....	30,000 00	.....
1894.....	40,000 00	25,000 00
1895.....	40,000 00	25,000 00
1896.....	18,000 00	.....

EDUCATIONAL FUND TAX.

	<i>Annual Appropriations.</i>	<i>Specific Appropriations.</i>
Totals 1896 and 1897.....	\$814,613 96	\$164,000 00



## ENDOWMENT FUNDS

College funds loaned on real estate mortgages at 7 per cent.....	\$133,327 34
Permanent endowment funds invested in State bonds at 5 per cent.....	144,000 00
Permanent endowment funds loaned on real estate mortgages at 6 per cent.....	499,528 99
<b>Total .....</b>	<b>\$773,856 33</b>

## INDIANA STATE NORMAL SCHOOL.

<i>Year.</i>	<i>Annual Appropriations.</i>	<i>Specific Appropriations.</i>	<i>School Revenue Apportionment.</i>
1867 .....	\$534 80	\$30,000	.....
1868 .....	1,030 40	20,000	.....
1869.....	1,494 06	79,000	.....
1870.....	1,837 41	.....	.....
1871.....	916 50	.....	.....
1872.....	619 90	.....	.....
1873.....	10,117 43	.....	\$7,500
1874.....	2,819 45	.....	15,000
1875.....	25,676 75	10,000	15,000
1876.....	8,149 40	1,900	15,000
1877 .....	8,897 50	.....	15,000
1878.....	3,068 20	.....	15,000
1879.....	8,000 00	.....	15,000
1880.....	2,000 00	.....	15,000
1881.....	3,000 00	.....	15,000
1882.....	5,000 00	.....	15,000
1883.....	5,200 00	.....	17,500
1884.....	2,000 00	.....	20,000
1885.....	10,780 00	.....	20,000
1886.....	10,000 00	500	20,000
1887.....	10,000 00	.....	20,000
1888.....	8,244 65	.....	20,000
1889.....	16,755 35	100,000	20,000
1890.....	10,000 00	.....	20,000
1891.....	10,000 00	.....	25,000
1892.....	10,000 00	.....	30,000
1893.....	10,000 00	20,000	30,000
1894.....	10,000 00	20,000	30,000
1895.....	10,000 00	10,000	30,000

1896.....	\$4,500 00	\$10,000	\$30,000
1896-97 educational tax.....	60,062 97	.....	.....
<b>Total.....</b>	<b>\$249,501 77</b>	<b>\$301,400</b>	<b>\$475,000</b>

<i>Year.</i>	<i>Interest on State Bonds.</i>	<i>Annual Appropriations.</i>	<i>Specific Appropriations.</i>	<i>United States Appropriations.</i>
1867.....	.....	\$2,725 00	.....	.....
1868.....	.....	815 50	.....	.....
1869.....	.....	1,020 60	.....	.....
1870.....	.....	580 20	.....	.....
1871.....	.....	1,875 33	.....	.....
1872.....	.....	1,184 83	.....	.....
1873.....	.....	1,445 10	\$30,000	.....
1874.....	.....	2,062 88	30,000	.....
1875.....	.....	1,948 66	20,000	.....
1876.....	.....	1,973 86	.....	.....
1877.....	.....	2,882 47	5,000	.....
1878.....	.....	2,930 43	4,000	.....
1879.....	\$16,250	2,500 00	4,000	.....
1880.....	16,250	2,000 00	2,500	.....
1881.....	17,000	4,500 00	.....	.....
1882.....	17,000	20,000 00	.....	.....
1883.....	17,000	20,000 00	.....	.....
1884.....	21,250	.....	.....	.....
1885.....	12,750	40,000 00	12,500	.....
1886.....	17,000	24,000 00	.....	.....
1887.....	17,000	24,000 00	.....	.....
1888.....	34,000	.....	.....	.....
1889.....	.....	51,000 00	39,000	.....
1890.....	17,000	30,000 00	.....	\$15,000
1891.....	17,000	30,000 00	6,000	33,000
1892.....	17,000	30,000 00	6,000	18,000
1893.....	17,000	30,000 00	.....	19,000
1894.....	17,000	30,000 00	25,000	20,000
1895.....	17,000	30,000 00	55,500	21,000
1896.....	17,000	15,000 00	30,500	22,000

**Totals ..... \$304,500    \$462,407 32    \$270,000    \$148,000**  
**1896 and 1897 Educational Tax, \$58,562.96.**

## PURDUE UNIVERSITY.

Endowment Fund invested in State bonds at 5 per cent .....	\$340,000
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Read and referred to the Committee on Finance with instructions to have same printed.

Senator Self offered Senate Resolution No. 38:

MR. PRESIDENT:

I move that Senate Rule No. 16 be amended to read as follows:

RULE 16. No Senator shall speak more than twice on the same subject or question without leave of the Senate, nor more than once until every member desiring to speak shall have spoken, and all speeches shall be limited to five minutes, unless by unanimous consent.

SELF.

Which was referred to Committee on Rules.

Senator Duncan made the following motion:

MR. PRESIDENT:

I move to refer Senate Bill No. 24 to its author with instructions to strike out the words "twelve hundred" in line 6 of section 1, and insert in lieu thereof "one thousand."

Also:

Strike out "nine" in line 12, section 1, and insert in lieu thereof "eight."

DUNCAN.

The question being, Shall the motion prevail?

The ayes and noes were demanded by Senators Wood and Humphreys.

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Culbert, Drummond, Duncan, Gill, Goar, Hubbell, Hugg, Humphreys, Kerns, LaFollette, Mull, New, O'Brien, O'Connor, Patten, Self, Shea.  
Total, 20.

Those voting in the negative were :

Senators Bobilya, Collett, Early, Ellison, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Leich, Nusbaum, Phares, Rinear, Schneck, Shiveley, Sweeney, Watson, Wood. Total, 21.

The bill was then put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Collett, Culbert, Drummond, Early, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, Phares, Rinear, Schneck, Shiveley, Watson, Wood. Total, 29.

Those voting in the negative were :

Senators Ball, Gill, Goar, Humphreys, Kerns, O'Connor, Patten, Self, Shea, Sweeney. Total, 10.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 280 and 540, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 70 and 208, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 230, entitled :

A bill for an act to appropriate the sum of eighteen hundred and forty-one dollars and ninety-five cents to pay the claim of William H. Peters for constructing cement sidewalks along the Institution of Deaf and Dumb, in the city of Indianapolis, regulating matters properly connected therewith and declaring an emergency.

Read first time and referred to the Committee on Claims and Expenditures.

Engrossed House Bill No. 540, entitled :

A bill for an act defining the Fifth and Seventh Judicial Circuits of the State of Indiana, fixing the time of holding courts in said circuits, prescribing the length of terms thereof, providing for the return of process therein, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to the Committee on Organization of Courts.

Senator White was excused on request of Senator LaFollette.

Senator Sweeney called up Senate Bill No. 264.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bozeman, Collett, Culbert, Drummond, Early, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Kerns, Leich, Mull, New, Newby, O'Brien, Patten, Phares, Rinear, Schneck, Shiveley, Stroup, Sweeney, Watson, Wood. Total, 34.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

Senate Bill No. 311 was called up by Senator Watson.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Culbert, Drummond, Duncan, Early, Gill, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hugg, Humphreys, Kerns, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shiveley, Stroup, Sweeney, Wood. Total, 34.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 3 and 400, introduced by Senators Duncan and Bozeman, and has compared the same with the engrossed bill, and find that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

The roll was called for House bills on second reading.

House Bill No. 182 was called up by Senator Ball.

The bill was read a second time by title and passed to third reading.

Senator Bobilya called up House Bill No. 214.

The bill was read a second time.

Senator Shiveley moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup. Total, 39.

So the constitutional rule was suspended.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shiveley, Sweeney, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Bozeman called up House Bill No. 246.

The bill was read a second time by title.

Senator Hogate moved to amend the bill by striking out the enacting clause.

The motion was lost.

Senator Hubbell moved to postpone the further consideration of this bill indefinitely.

Which motion prevailed.

Senator Culbert called up House Bill No. 36.

The bill was read a second time by title.

And Senator Houghton offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 36 by striking out section 2 thereof, and that section 3 be renumbered 2.

HUGHTON.

Which amendment was adopted, and the bill as amended ordered engrossed.

Senator Collett called up House Bill No. 177.

The bill was read a second time and passed to third reading.

Senator Duncan called up House Bill No. 77.

The bill was read a second time by title and passed to third reading.

Senator Gill called up House Bill No. 105.

The bill was read a second time by title and passed to third reading.

Senator Goar called up House Bill No. 167.

The bill was read a second time by title.

Senator Shiveley offered Amendment No. 1:

MR. PRESIDENT:

I move to amend section two of Engrossed House Bill No. 167 by striking out the word "one," in line 5 of said section,



and inserting the word "five" in lieu thereof; and by striking out the word "shall," in line 6 of said section, and inserting the word "may" in lieu thereof.

SHIVELEY.

Which amendment was adopted.

Senator Goar offered Amendment No. 2:

MR. PRESIDENT:

I move to amend section 3 of Engrossed House Bill No. 167 by striking out all of section 3, except following the word "with," in line 5, of said section.

GOAR.

Which amendment was adopted.

Senator Shea offered Amendment No. 3:

MR. PRESIDENT:

I move to strike out the words "cigars" and "tobacco" wherever they appear in House Bill No. 167.

SHEA.

Which amendment was adopted, and the bill as amended ordered engrossed.

Senator Newby was called to the chair to preside at 3:30.

Lieutenant-Governor Haggard resumed the chair at 3:40.

Senator Early called up House Bill No. 277.

The bill was read a second time by title.

Senator Hogate moved that the bill be printed.

The motion prevailed.

Senator Gochenour called up House Bill No. 480.

The bill was read a second time by title.

Senator Gochenour moved to suspend the constitutional rule requiring that bills be read on three several days, that the bill be read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, O'Connor, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 40.

Senator Humphreys voting in the negative.

So the constitutional rule was suspended, and the bill was read a third time by sections and put upon its passage.

The question being on the passage of the bill.

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, Newby, Nusbaum, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 38.

Senator Alexander voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

Senator Hawkins called up House Bill No. 49.

The bill was read a second time by title.

Senator Hawkins moved that the constitutional rule requiring that bills be read on three several days be suspended; that the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bobilya, Campbell, Culbert, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Sweeney and Wood. Total, 37.

Senator Bozeman voting in the negative.

So the constitutional rule was suspended.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Bethell, Bobilya, Campbell, Culbert, Early, Ellison, Gilbert, Gill, Goar, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 35.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Horner called up House Bill No. 150.

Senator Ellison made the point of order that House bills should be printed, which the chair held was well taken.

Senator O'Connor called up House Bill No. 103.

The bill was read a second time by title.

Senator O'Connor moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Campbell, Culbert, Duncan, Ellison, Gill, Goar, Horner, Humphreys, Johnston of Dearborn, LaFollette, Leich, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Stroup, Sweeney. Total, 23.

Those voting in the negative were :

Senators Gochenour, Hawkins, Hogate, Holler, Houghton, Hugg, Johnson of Madison, Mull, New, Newby, Shiveley. Total, 11.

So the constitutional rule was not suspended.

Senator Holler, Chairman of the Prison Committee of the Prison South, made the following report :

MR. PRESIDENT :

Your Committee on Prisons will report that it made an investigation of the Prison South as to its general management, the condition of affairs and its probable needs, and begs leave to make the following report :

Your committee would report that they found the prison and all the buildings in as good condition as they could be made without rebuilding or making very extensive repairs. Everything was cleanly and in good condition. The ordinary repairs have been well kept up and everything is being done that could be done with the means at command for the protection of the property of the State. The cell house and all of the buildings are clean and have been kept so. Where it could be done with advantage, whitewash and paint brushes have been freely applied. The sanitary conditions of the prison we found in as good a condition as could be made with the present unsatisfactory conditions. The convicts were all well clothed and well fed. We took occasion to examine the food furnished prisoners, and found it to be a good article, well prepared and given in abundance.

Recently a grading system has been established by the Warden and Directors, at their own volition, which is giving very great satisfaction. There are three grades, which are indicated by the clothing worn. Only those in the lowest grade, who, by

the way, are few in number, wear the traditional stripes. This system, we think, has been of very great advantage to the institution and the convicts, and its adoption is a very long step toward making the institution that which the framers of our Constitution provided—that the punishment should be reformatory rather than vindictive.

There are quite a number of improvements that are badly needed which will not be enumerated here. There are some which are absolutely necessary for the protection of society and the welfare of the ones incarcerated. Without these it will be impossible for the prison officials to properly conduct it.

*First.* An electric light plant is in imperative demand. There is no way now of lighting the cells, many of which are dark on the brightest days, except by artificial lights. These are days in which the convicts are kept in their cells, great numbers of which are very dark—so dark as to make it utterly impossible to read or write.

*Second.* A new hospital should be built. The present one is unfortunately located. The cells in which the insane are kept should be changed; they can only be reached by going up outside over the roof of another building through a sort of junk shop into their present location. It is contaminated from below and badly ventilated. It is the only place that can at present be used and the dictates of humanity demand that these unfortunates may be put in some place in which their lives will not be jeopardized. If a fire should break out in the building the probabilities are there would be loss of life.

*Third.* A new heating apparatus should be put in at once, which would supply the power for the electric light plant and also heat all the buildings. The buildings and cell houses are now largely heated by stoves, which accumulate much dirt and are a source of constant trouble, threaten danger and are unsatisfactory. A new heating apparatus could furnish power for the electric light plant, heat all the buildings and furnish whatever other power should be required in the management of the institution. The present apparatus has been in for many years. While apparently well cared for, it is getting well worn and is not nearly up to the capacity of the institution.

*Fourth.* The chapel should be reconstructed, by taking out one of the floors. As it is now constructed it is simply a death trap, subjecting the inmates to great danger by fire and otherwise. This change could be made with trifling expense, and, in its accomplishment, much needed good would be done.

*Fifth.* None of the cell houses are in the condition they should be. There is a great lack of ventilation. In fact, they were erected apparently regardless of ventilation, and only such air is taken in as comes in through the cell house through the doors into the cells. In winter time great harm results from poor ventilation, and in summer time the cells are rendered almost uninhabitable. In the condition of the cells, your committee would not recommend the introduction of ventilating apparatus, as we think it would cost nearly as much as to rebuild the cells.

Cell House C is the old original cell house. This has been built half a century, and is in bad condition. The cells are in dimension 3 feet 10 inches by 7 feet. The floors are of brick, and badly worn. We certainly recommend no improvements to this building.

Cell House B is very well constructed, but is badly lighted, and has bad ventilation. The ceiling is about 40 feet high, and the windows are only 10 feet high, making the upper and lower cells exceedingly dark. We recommend that other windows be put in the walls, in addition to the ones already in.

We also find that there is a lack of cell room, there being about one and a half men to each cell. The result is that many cells are occupied by two prisoners, and fifty at the time we were there were sleeping in the corridors.

This state of affairs is very deplorable, and should be remedied at once. If some means are not at once provided for the reduction of the prison population, there should be new cell houses built at once, with proper improvements for light and ventilation. It is exceedingly doubtful whether the present cells can be properly ventilated without tearing them down entirely.

We recommend that a switch be laid into the prison, to which all railroads shall have access. We would recommend that an appropriation be made, and the Board of Directors be author-

ized to expend the same in the construction and repair of such buildings as we have indicated in this report. It can be very largely done with prison labor and at a minimum cost.

We think we would not be going beyond our duty to make favorable mention of the manner in which the prison has been conducted during the incumbency of Warden Hert. There appears to have been complete accord between him and the Directors by which great reforms have been accomplished and great good done without expense to the State and without detriment to the inmates. We found the highest discipline maintained, the best of feeling prevailing and best of order preserved, and the prison itself in the very best condition. Mr. Hert has been very enthusiastic in his work and has accomplished very great good, for which he deserves special commendation. The affairs of the institution have been well and economically managed. The officers and employes appear to have done their whole duty, the result of which is that the Prison South has been placed upon a much higher plane than has ever before been attained.

CHRISTIAN HOLLER,  
H. C. DUNCAN,  
H. S. NEW,  
J. D. EARLY,  
WATSON,  
T. E. ELLISON,  
J. H. SHEA.

Senator Holler moved that the report of the Prison Committee be printed.

Which motion prevailed.

Senator Holler moved that the Senate do now adjourn.

Which motion was lost.

Senator Gostlin moved that when we adjourn we do adjourn until 10 o'clock Monday.

Which motion was lost on a division by which 18 voted in the affirmative and 26 in the negative.

Senator Bobilya was called to the chair at 4:20.

Senator Early introduced Senate Bill No. 418, entitled :

A bill for an act to amend an act entitled an act to legalize certain sales of real estate made by County Auditors, as forfeited school lands, and declaring an emergency, approved March 2, 1895.

Read first time and referred to Committee on Judiciary.

Senator Hogate moved that the Senate adjourn.

Which motion was lost.

Senator Duncan, by request, introduced Senate Bill No. 419, entitled :

“A bill for an act authorizing the Governor of the State to enter into a contract with Michael H. Cain to place an electric light plant in the basement of the State House and operate the same, and declaring an emergency.”

Read first time and referred to the Committee on Public Buildings.

Senator Gill introduced Senate Bill No. 420, entitled :

A bill for an act to legalize the incorporation of the town of Ladoga in Montgomery County, in the State of Indiana, and to legalize the municipal elections, the organization and official acts of the Boards of Trustees and the official acts of all other officers of said town ; and all by-laws, ordinances, resolutions and regulations ; the platting, surveys and boundary lines, and the levying assessments and collection of taxes, and the sale of real and personal property for payment of delinquent taxes by the officers of said town, and declaring an emergency.

Read the first time.

Senator Gill moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill be read a second time by title, considered engrossed, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called.



Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Drummond, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Humphreys, Johnson of Madison, Kerns, LaFollette, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Wood. Total, 37.

None voting in the negative.

And so the constitutional rule was suspended, the bill was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Early, Ellison, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 39.

None voting in the negative.

And so the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Early asked that he be excused until Monday. The request was granted.

On motion of Senator Rinear the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## SATURDAY MORNING.

FEBRUARY 13, 1897.

The Senate convened at 10 o'clock, with Lieutenant-Governor Haggard in the chair.

After a portion of the Journal had been read, the further reading of the same was dispensed with on motion of Senator Bobilya.

The roll was called for the reports of standing committees.

Senator Gilbert introduced Senate Bill No. 421, entitled :

A bill for an act to amend section two, eleven, twelve, sixty-seven and seventy-seven of an act entitled an act concerning the incorporation and government of cities having more than thirty five thousand (35,000) and less than forty nine thousand (49,000) population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency, approved March 3, 1893.

Read the first time and referred to the Committee on Cities and Towns.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 413, introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 418, introduced by Senator Early, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 316, the same being "A bill for an act regulating and describing the manner under which medicines or combinations of drugs may be sold in the State of Indiana, and providing a penalty for violations thereof, and declaring an emergency," introduced by Senators Nusbaum, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended by striking out the emergency clause, and when so amended, that the bill do pass.

CHARLES S. GOAR,  
Chairman.

Which report was concurred in.

Senator Hubbell called up Engrossed House Bill No. 277 and reported that he had a substitute bill which he desired to offer in lieu of the original bill. He then moved to reconsider the vote by which Engrossed House Bill No. 277 was passed to third reading, and the motion prevailed.

Senator Hubbell moved that the following substitute, which he offered, be adopted in lieu of the original bill:

Substitute for Engrossed House Bill No. 277.

A bill for an act to authorize the Board of Trustees of incorporated towns having a population of fifteen hundred persons or less, to refuse to elect School Trustees, and to place the

schools in such towns under the care and control of the Township Trustees of the school township in which such town is located, and abolishing school town corporations in such towns, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That in all incorporated towns of the State having a population of fifteen hundred persons or less, as shown by the last preceding United States census, the Board of Trustees of any such incorporated towns in this State may, at their option, refuse to elect School Trustees as provided for in section 4439 of the Revised Statutes of 1881, and in such case the care and control of the schools of such incorporated town shall be under the control of the Township Trustee of the school township in which such incorporated town shall be situated, the same as the schools of such school township not located within the limits of such incorporated town, and in any such town no school town corporation shall exist until School Trustees are elected therefore according to section 4439 of the Revised Statutes of 1881.

SEC. 2. Whereas an emergency exists for the immediate passage of this act, therefore the same shall be in force from and after its passage.

Which motion prevailed, and the substitute was ordered printed.

Senator Ball presented a petition signed by divers and sundry citizens of the county of Delaware, State of Indiana, praying that the General Assembly pass the bill known as the "Wide Tire Bill."

Which was referred to the Committee on Roads.

Senator Nusbaum presented a petition signed by divers and sundry citizens of the State of Indiana, praying that the bill known as the "Wide Tire Bill" pass and become a law.

Read and referred to the Committee on Roads.

Senator Kerns presented a resolution of the Teacher's Institute, of Washington Township, Parke County, Indiana, reciting that that organization was opposed to the passage of Senate Bill No. 59, and House Bill No. 123, and requesting Senator Kerns to use his influence against the passage of said bills.

Which resolution was referred to the Committee on Education.

Senator O'Brien, Chairman of the Committee on Federal Relations and Rights and Privileges made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations and Rights and Privileges, to which was referred House Bill No. 244, introduced by Senator McCrea, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be referred to the Committee on Agriculture.

JAS. O'BRIEN,  
Chairman.

Which report was concurred in.

Senator Bethell called up Engrossed House Bill No. 177, which was read a third time by sections and put upon its passage. The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Campbell, Culbert, Duncan, Gochenour, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Newby, Nusbbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Shea, Shiveley, Stroup. Total, 32.

Those voting in the negative were:

Senators Gilbert, Gill, Goodwine, Self, Sweeney. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Bobilya called up Engrossed House Bill No. 77.

Senator Hogate moved that the further consideration of the bill be postponed until it is printed.

Which motion prevailed.

Senator Shiveley moved that all House bills that have been ordered engrossed be printed.

Which motion prevailed.

Senator Hawkins called up Senate Bill No. 339.

The bill was read a second time by title.

Senator Hawkins moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Linck, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shiveley, Stroup, Sweeney, Wood. Total, 39.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Duncan, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hawkins called up Senate Bill No. 340.

The bill was read a second time by title.

Senator Hawkins moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shiveley, Stroup, Sweeney, Wood. Total, 39.

None voting in the negative.

So the constitutional rule was suspended, the bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Duncan, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Hawkins called up Senate Bill No. 341.

The bill was read a second time by title.

Senator Hawkins moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shiveley, Stroup, Sweeney, Wood. Total, 39.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?



The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Duncan, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Self, Shea, Shiveley, Stroup, Sweeney, Wood. Total, 38.

No one voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ball called up Senate Bill No. 275.

Which was read a second time by title and ordered engrossed.

Senator Shiveley was called to the chair at 11 o'clock.

Senator Bozeman called up Senate Bill No. 324.

The bill was read a second time by title.

Senator Hogate offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 324 as follows :

Insert the word "not" between the words "shall" and "be," in line 6, section 18.

Also :

Strike out the words "the facts," in line 6, section 18, and insert in lieu thereof the words "any fact."

HOGATE.

Which amendment was adopted.

Senator Higate offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 324 as follows:

Strike out all of section 20 down to and including the word "but," in line 7.

Also:

Amend section 20 by adding, after the word "interest," in line 13, the following: "Examine all of the proceedings had in the opening and establishing of such highway, for the purpose of determining the rights and liabilities of the appealing party."

HIGATE.

Which amendment was adopted.

Senator Ball offered the following amendment to Senate Bill No. 324:

MR. PRESIDENT:

I move that all the words after "assessed," in lines 15 and 16, in section 18, be stricken out.

BALL.

Which amendment was adopted.

Senator Hugg offered the following amendment to Senate Bill No. 324:

MR. PRESIDENT:

I move to amend Senate Bill No. 324 by striking out the word "five," in line 4 of section 2, and by inserting in lieu thereof the words "a majority."

HUGG.

Senator Culbert called up Senate Bill No. 309.

The bill was read a second time by title and ordered engrossed.

Senator Duncan called up Senate Bill No. 381.

The bill was read a second time by title and ordered engrossed.

Senator Gilbert called up Senate Bill No. 42.

Which was read a second time by title and ordered engrossed.

Senator Gill called up Senate Bill No. 296.

The bill was read a second time by title and ordered engrossed.

Senator Alexander called up Senate Bill No. 366.

Which was read a second time by title and ordered engrossed.

Senator Hugg moved that Senate Bill No. 324 and the amendments thereto be made a special order for 2 o'clock next Wednesday.

The motion was lost.

Senator Gilbert moved that Senate Bill No. 324 and its amendments be made a special order for 2:30 Monday.

The motion prevailed.

Senator Goar called up Senate Bill No. 291.

Which was read a second time and ordered engrossed.

Senator Gochenour called up Senate Bill No. 167.

The bill was read a second time by title.

Senator Hawkins offered the following amendment :

MR. PRESIDENT :

I move to amend by striking out the words "fifty-five hundred" and inserting the words "six thousand" in section one of the bill.

HAWKINS.

Senator Ball moved that the further consideration of Senate Bill No. 167, and Senator Hawkins' amendment thereto be made a special order for Tuesday, February 16, 1897, at 10 o'clock, A. M.

Which motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 89, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Hawkins called up Senate Bill No. 334, which was read a second time by title and ordered engrossed.

Senate Bill No. 345 was called up by Senator Hogate.

The bill was read a second time by title and ordered engrossed.

Senator Holler called up Senate Bill No. 387. The bill was read a second time by title and ordered engrossed.

Lieutenant-Governor Haggard resumed the chair at 11:40.

Senator Horner called up Senate Bill No. 263, which was read a second time by title and ordered engrossed.

Senator Ball moved that when the Senate adjourns, it do so to meet Monday morning at 10 o'clock.

The motion prevailed.

The following message was received from the Governor :

FEBRUARY 13, 1897.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate Bill No. 70, an act authorizing the incorporation of the Boards of Commissioners of Foreign Missions of the governing bodies and religious societies, etc.

Also:

Senate Bill No. 208, an act fixing the terms and time of holding court in the Nineteenth Judicial Circuit, and the same has been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON.

To the Honorable President of the Senate.

Read in the Senate at 11:45 o'clock A. M. on February 13, 1897.

Senator Houghton called up Senate Bill No. 401.

The bill was read a second time and ordered engrossed.

Senator Houghton called up Senate Bill No. 328.

The bill was read a second time and ordered engrossed.

Senator Hugg called up Senate Bill No. 53.

The bill was read a second time by title and ordered engrossed.

Senator Johnson of Madison called up Senate Bill No. 213.

The bill was read a second time and ordered engrossed.

Senator Kerns called up Senate Bill No. 368.

The bill was read a second time by title and ordered engrossed.

Senator McCord called up Senate Bill No. 202.

Which was read a second time by title and ordered engrossed.

Senator McCord called up Senate Bill No. 195.

Which was read a second time by title.

Senator Shea offered the following amendment to Senate Bill No. 195:

MR. PRESIDENT:

I move that Substitute Senate Bill No. 195 be amended by adding thereto section 4, viz.:

**SECTION 4.** That section 12 of said act, being section 5480m of the Revised Statutes of 1896, be and the same is hereby amended to read as follows :

**Section 12.** That the mining boss shall visit and examine every working place in the mine at least every alternate day while the miners of such place are or should be at work, and shall examine and see that each and every working place is properly secured by props and timber, and that safety of the mine is assured. He shall see that a sufficient supply of props and timber are always on hand at the miners' working places. He shall also see that all loose coal, slate and rock overhead, wherein miners have to travel to and from their work, are carefully secured. Whenever such mine boss shall have an unsafe place reported to him, he shall order and direct that the same be placed in a safe condition, and until such is done no person shall enter such unsafe place except for the purpose of making it safe. Whenever any miner working in said mine shall learn of such unsafe place, he shall at once notify the mining boss thereof, and it shall be the duty of said mining boss to give him, properly filled out, an acknowledgment of such notice of the following form :

I hereby acknowledge receipt of notice from.....  
 ....., of the unsafe condition of the mine, as follows:  
 .....  
 .....

Dated this.....day of ....., 18....

.....,  
 Mining Boss.

The possession by the miner of such written acknowledgment shall be the proof of the receipt of such notice by said boss. Whenever such question shall arise, and upon receipt of such notice, such mine boss shall at once inspect such place and proceed to put the same in good and safe condition. As soon as such unsafe place has been repaired, to the approval of such boss, he shall then give permission for men to return to work therein. but no miner shall return to work therein until such repair has been made and permission given.

**SHEA.**

Which amendment was adopted and the bill ordered engrossed.

Senator Mull called up Senate Bill No. 295.

The bill was read a second time by title.

Senator Houghton offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 295 by striking out the word "sidewalks" whenever it appears in the bill.

HOUGHTON.

The question being on the adoption of the amendment.

A division was ordered.

And the amendment was lost by a standing vote of 13 in the affirmative to 17 in the negative.

The bill was ordered engrossed.

Senator Newby moved that Senate Bill No. 295 be made a special order for Tuesday, at 11 A. M., February 16.

Which motion prevailed.

Senator Newby introduced Senate Bill No. 422, entitled :

A bill for an act providing for the collection of city taxes by county treasurers, and providing compensation for the county auditor and treasurer for services rendered in relation thereto, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

On motion of Senator Hawkins, the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## MONDAY MORNING.

FEBRUARY 15, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by the Rev. C. E. Dickey, of the Winona Assembly.

The Journal of Saturday was ordered read.

After a portion of the same had been read, the further reading was dispensed with, on motion of Senator Bobilya.

Senator Hubbell offered Senate Resolution No. 40:

MR. PRESIDENT:

I offer the following resolution:

WHEREAS, The rapid dispatch of business in the Senate depends upon the preservation of order in the chamber; and

WHEREAS, The presence of large numbers of persons who are not members of this General Assembly upon the floor of this chamber has obstructed business heretofore. Therefore be it

*Resolved*, That the Lieutenant-Governor is hereby requested to enforce Senate Rules numbers 17 and 52, and to instruct the doorkeepers to strictly enforce the same, and that all persons not members of this General Assembly, and employes thereof (representatives of the press excepted) are hereby excluded from the floor of this chamber while the Senate is in session.

HUBBELL.

Senator Hubbell moved the adoption of the resolution.

Senator Bobilya moved to lay Senator Hubbell's motion on the table.

Which motion prevailed.

The regular order of business was temporarily suspended for the hearing of reports from the various committees.



Senator Shiveley, Chairman of the Committee of Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 269, introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

SHIVELEY.

Which report was concurred in.

Senator Shiveley introduced Senate Bill No. 423, entitled:

A bill for an act to amend section 261 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881. The same being section 2177 of the Revised Statutes of the State of Indiana.

Read first time and referred to the Committee on Railroads.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 408, introduced by Senator Gostlin, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by inserting the words "or of the United States" after the word "State," in line 11 of section 1 thereof, and when so amended that the bill do pass?

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 147, introduced by Senator Sutton, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

The Committee on Cities and Towns made the following reports :

MR. PRESIDENT :

A majority of your Committee on Cities and Towns, to which was referred House Bill No. 290, introduced by Mr. Hall, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do not pass.

HUGHTON,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Cities and Towns, to which was referred House Bill No. 290, introduced by Mr. Hall, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

JOHNSON.

The question being on the substitution of the minority report for the majority report.

The minority report was substituted for the majority report, and was concurred in.

Senator O'Connor introduced Senate Bill No. 424, entitled :

A bill for an act to repeal the last, or *proviso* clause, of section two (2) of an act entitled an act to amend sections 16, 20, 19, 21 and 31, the same being sections 4300, 4303, 4304, 4305 and 4314 of the Revised Statutes of 1881, of an act entitled an act to enable the owners of lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of County Commissioners and other officers in the premises, and to provide for the repairs and enlargement of such drains, and repealing certain acts therein specified, and declaring an emergency, approved April 21, 1881, and to provide a method of repairing drains and declaring an emergency, approved March 6, 1891, and declaring an emergency.

Read first time and referred to the Committee on Swamp Lands and Drains.

Senator Wood introduced Senate Bill No. 425, entitled :

A bill for an act concerning the duties and compensation of County Surveyors.

Read first time and referred to the Committee on Fees and Salaries.

The roll was then called for bills on second reading.

Senator New called up Senate Bill No. 61.

Which was read a second time by title.

Senator Hugg offered the following amendment :

MR. PRESIDENT :

I move to amend by striking out the word "term" in line forty (40), in section one (1), and inserting the word "contract" in lieu thereof.

HUGG.

Which amendment was adopted.

Senator Wood offered the following amendment :

MR. PRESIDENT :

I move to amend by inserting in the bill as printed on page two, line twenty-eight, after the word occupancy, the following :

"Common carriers of said city shall proceed not more than two years nor less than three months before the expiration of the time limit in the ordinance or contract of the company, then in possession of its streets, for street railway purposes, to let the right to use the streets for street railway purposes for such period as shall be determined upon, beginning at the expiration of the preceding term, which letting shall be by open and fair competition, to the company or person or persons, then or thereafter incorporated, who shall bid the best and most favorable terms therefor.

Before letting such right the common carriers shall adopt and embody, in the form of an ordinance or contract, the regulations, conditions and period of time under and for which the right to use the streets, describing the same, will be granted ; the minimum obligations which will be imposed as to street

paving and repairing; the minimum amount, if any, of earnings or receipts required to be paid to said city, and the maximum cost and ticket fares that will be permitted to be charged, and thereupon said common carrier shall give notice by publication for not less than three weeks before the day fixed for the letting, in at least one of the daily newspapers of said city, that bids will be received for the right to use the streets named in said ordinance or contract for street railway purposes, upon the terms and conditions and for the period of time named therein, and that such right will be let to the company or person or persons then or thereafter incorporated who shall bid the best and most favorable terms for said city and the public as to street paving and repairing, amount of earnings or receipts to be paid to the city and fares charged, and the right to use the streets shall thereupon be awarded to such bidder.

The question being on the adoption of the amendment.

The ayes and noes were demanded.

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Collett, Culbert, Goar, Gochenour, Goodwine, Gostlin, Hogate, Houghton, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Wood. Total, 22.

Those voting in the negative were:

Senators Bobilya, Bozeman, Campbell, Drummond, Early, Ellison, Gilbert, Gill, Hawkins, Holler, Horner, Hubbell, Hugg, Humphreys, New, Nusbaum, O'Conner, Patten, Rinear, Shea, Stroup, Sweeney. Total, 23.

So the amendment was lost.

Senator Shiveley moved that when a bill is amended on third reading that it be re-engrossed.

Which motion prevailed.

Senator Hogate moved that Senate Bill No. 8 be re-engrossed.

Which motion prevailed.

Senator Hogate moved that the civil government class of the Central Normal School be admitted to the Senate chamber.

Which motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Act No. 424.

Also :

Senate enrolled Acts Nos. 125, 400, 403.

And the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Per CHAS. G. L.,  
File Clerk.

On motion of Senator O'Brien, the Senate adjourned.

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## MONDAY AFTERNOON.

FEBRUARY 15, 1897.

The Senate convened at 2 o'clock p. m., with Lieutenant-Governor Haggard in the chair.

Senator Wood offered the following amendment to Substitute Senate Bill No. 61 :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 61 by inserting on page 2, line 28, of section 1, after the word "occupancy," the following, in lieu of what follows in said bill: "The Board of Public Works of said city shall proceed, within six months before the expiration of the time limited in the ordinance or contract of the company then in possession of its streets for street railway purposes, to let the right to use the streets for street railway purposes for such period as shall be

determined upon, not exceeding thirty years, beginning at the expiration of the preceding term, which letting shall be by open and fair competition to the company or persons then or thereafter incorporated who shall bid the best and most favorable terms therefor, in respect to fares to be charged to passengers.

Before letting such rights the Board of Public Works shall adopt and embody in the form of an ordinance or contract, the relations, conditions, and periods of time under and for which the right to use the streets, describing the same, will be granted; the obligation which will be imposed on said company as to street paving and repairing, including the paving and repairing of that part of the streets proposed to be occupied by the tracks of said company, and including the refunding to abutting property owners of such assessments theretofore paid by them for the permanent paving of so much of said streets as has heretofore been occupied by said tracks; and thereupon said board shall give notice by publication for not less than three weeks before the day fixed for the letting, in at least one of the daily newspapers of said city, that bids will be received for the right to use the streets named in said ordinance for street railway purposes, upon the terms and conditions and for the period of time named therein, and that such rights will be let to the company or person or persons then or thereafter incorporated, who shall make the best and lowest bid in respect to the fares, cash and ticket, to be charged to the passengers; *Provided*, That no bid shall be entertained wherein it is proposed to charge in excess of three cents for either cash or ticket fares, and the right to use the streets shall thereupon be awarded to such bidder; *Provided, however*, That immediately after the awarding of such bid, the party to whom such award is made, if other than the occupying company, shall institute in the Circuit Court of the proper county a proceeding for a condemnation of the property of the occupying company then in the streets of said city, together with the rolling stock, power houses, and all other property appurtenant to said system of street railway in said city, said proceedings to be commenced by filing in said court a complaint or petition for such appropriation and assessment of damages, describing the property to be appropriated, making parties defendant in such proceeding such occupying company and the trustees of any mortgages

thereon, and any lien holders thereon, and the practice and proceedings thereafter in such matter shall be in accordance with the general laws of the State of Indiana touching the condemnation of property by railroad companies, and when the value of such property is so ascertained and confirmed by the court, the said petitioner shall take the same at such appraisement, paying to the Clerk of said Circuit Court the amount of such appraisement in cash, within the time which may be fixed by said court, on payment of which such petitioner company shall become the owner of said property, free and unincumbered of all claims in the premises, and shall proceed immediately to take possession of and operate such railway system under its contract.

*Provided further,* That before any such proceeding shall be taken in court for the appraisement of the value of said property, said petitioning company shall give a bond, payable to the city where said property is situate, for the use of the occupying company, in the penalty of two hundred dollars, as liquidated damages, with sureties to the approval of the Judge of said court, conditioned that in consideration of said appraisement it will take said property so appraised at the appraisement, will pay the appraiser's price therefor to the Clerk of said Circuit Court within such time as said Court shall order, without relief from valuation or appraisement laws.

WOOD.

The question being on the adoption of the amendment.

The ayes any noes were demanded.

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Collett, Culbert, Goar, Gochenour, Gostlin, Hogate, Houghton, Kern, Mull, Newby, O'Brien, Phares, Schneck and Wood. Total, 16.

Those voting in the negative were:

Senators Alexander, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goodwine, Hawkins, Holler, Horner, Hubbell, Hugg, Humphreys, LaFollette, Leich, McCord, New, Nusbaum, Patten, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson. Total, 30.

So the amendment was lost.

The following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 249-264, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 264, entitled :

A bill for an act for the protection of owners and keepers of hotels, inns, restaurants, boarding and eating houses, defining certain misdemeanors and their penalties, creating liens on certain property, and providing for the enforcement of the provisions hereof, repealing conflicting laws, and declaring an emergency.

Read and referred to the Committee on Judiciary.

Engrossed House Bill No. 249, entitled :

A bill for an act concerning the cutting down and destroying of briars, thistles, burrs, docks and other noxious weeds by owners of lands along public highways.

Read and referred to the Committee on County and Township Business.

The regular order of business was suspended for a few minutes, two distinguished poets, Joaquin Miller and James Whitcomb Riley, spoke briefly to the Senate.

Senator Hogate offered the following amendment :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 61 as follows :

After the word "parties" in line 48 insert the following :

*Provided*, That such new or other company or corporation at the time of filing its proceedings for an appraisement of the property of the occupying company shall also file in such Circuit Court a bond in such an amount as shall be required by the Court, which bond shall be approved by the Court; and said bond shall require that such new or other company or corporation shall take the property of the occupying company at



its appraised value, and in default of so doing such new or other company or corporation shall forfeit all contract rights it may have with the city for occupying its streets, and shall be liable on such bond either to the city or occupying company, or both, for any damage that may accrue to either the city or the occupying company, or both, for failure of such new or other company or corporation to pay the appraised value of the property of the occupying company.

HOGATE.

Which amendment was adopted.

Senate Bill No. 61 was ordered engrossed.

Senate Bill No. 324 was taken up as the special order for the hour.

Senator Hugg offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 324 by striking out in line 4 of section one the words "or macadamizing," and by inserting the word "or" before the word "graveling" in line 4 of section one.

HUGG.

Which amendment was adopted.

Senator Nusbaum offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 324 by striking out the words "not less than five" in section two, line four and substitute the word "majority."

NUSBAUM.

Senator Hogate was called to the chair to preside at 3:35.

Senator Ellison offered the following substitute for the amendment of Senator Nusbaum:

MR. PRESIDENT:

I move to substitute for the amendment of Senator Nusbaum these words after the word "improved:" "Signed by those persons owning one-half of the land abutting on said highway and."

ELLISON.

The question being on the adoption of the substitute offered by Senator Ellison.

The substitute was lost.

The question recurring on the adoption of the amendment of Senator Nusbaum.

The amendment was lost on a division of 17 in the affirmative, to 18 in the negative.

The following message was received from the Governor:

INDIANAPOLIS, IND., February 15, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed and approved Senate Enrolled Act No. 125, an act making an appropriation for the payment of money to the Warren Scharf Asphalt Company, etc.

Also:

Senate Enrolled Act No. 3, an act fixing the time of holding court in the Eleventh Judicial District.

Also:

Senate Enrolled Act No. 400, an act fixing the time of holding court in the Tenth Judicial District.

And the same has been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

To the Honorable President of the Senate.

Read in the Senate at 3:35 P. M. on Monday, February 15, 1897.

Senator Shea offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 824 by inserting after the word "order" in section 2, line 12, the following: "*Provided, That if before the appointment of said viewers a majority of*

the persons owning lands affected by said improvement shall remonstrate against said improvement, said petition shall be dismissed."

SREA.

Which amendment was adopted on a division of 17 in the affirmative and 13 in the negative.

Lieutenant-Governor Haggard resumed the chair at 4:03.

Senator Drummond offered the following amendment to Senate Bill No. 324:

MR. PRESIDENT:

I move to amend Senate Bill No. 324 by striking out the word "five" in line 4, section 2, and by substituting the word "ten."

DRUMMOND.

Which amendment was adopted and the bill as amended ordered engrossed.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, begs leave to report that they have examined Enrolled Senate Bill No. 89, introduced by Senator Duncan, and have compared the same with the engrossed bill and find that said bill has been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Nusbaum called up Senate Bill No. 329.

The bill was read a second time by title.

Senator Hugg offered the following amendment:

MR. PRESIDENT:

I move to amend section 1 of Senate Bill No. 329 by inserting the words "and children" after the word "widower" in line nine of said section.

HUGG.

Which amendment was adopted and the bill ordered engrossed.

Senator O'Connor called up Senate Bill No. 331.

The bill was read a second time by title and ordered engrossed.

Senator Rinear called up Senate Bill No. 312.

The bill was read a second time by title and ordered engrossed.

Senator Patten called up Senate Bill No. 250.

The bill was read a second time by title and ordered engrossed.

Senator Phares called up Senate Bill No. 245.

The bill was read a second time by title.

Senator Ellison offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 245 by striking out of line 40, section 1, the word "ten" and inserting in lieu thereof the word "six."

ELLISON.

Which amendment was adopted, and the bill ordered engrossed.

Senator Newby introduced Senate Bill No. 426, entitled:

A bill for an act to amend sections 3 and 4 of an act entitled an act concerning elections, providing penalties for the violation of the same and repealing all laws in conflict therewith, approved March 6, 1895, repealing all laws in conflict and declaring an emergency.

Read and referred to the Committee on Judiciary.

Senator Newby called up Senate Bill No. 63.

The bill was read a second time by title and ordered engrossed.

Senator O'Brien called up Senate Bill No. 361.

Which was read a second time by title and ordered engrossed.

Senator Schneck called up Senate Bill No. 394.

Which was read a second time by title and ordered engrossed.

Senator Self called up Senate Bill No. 360.

Which was read a second time by title and ordered engrossed.

Senator Shea called up Senate Bill No. 318.

Which was read a second time by title.

Senator Hogate offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 318 as follows:

Add to section 3 of said bill the following: "Which sum so allowed shall be the property of the Auditor, in addition to any compensation as Auditor now allowed him by law."

HOGATE.

Which amendment was adopted and the bill ordered engrossed.

Senator Shiveley called up Senate Bill No. 389.

Which was read a second time by title and ordered engrossed.

Senator Stroup called up Senate Bill No. 351.

The bill was read a second time by title and ordered engrossed.

Senator Sweeney called up Senate Bill No. 287.

The bill was read a second time by title and ordered engrossed.

Senator Watson called up Senate Bill No. 223.

The bill was read a second time by title and ordered engrossed.

Senator Wood called up Senate Bill No. 190.

The bill was read a second time by title and ordered engrossed.

Senator Gostlin called up Senate Bill No. 310.

He then moved that the bill be advanced to second reading.

The motion prevailed.

Senator Collett called up Senate Bill No. 385.

Which was read a second time by title.

Senator Ellison offered the following amendment :

MR. PRESIDENT :

I move to strike out the enacting clause in Senate Bill No. 385.

ELLISON.

Which motion did not prevail.

Senator Johnson of Madison introduced Senate Bill No. 427, entitled :

A bill for an act requiring all policies and certificates of insurance to contain application, constitution, by-laws or other rules of the corporation, company or association intended to be or become a part of the contract to be incorporated in and attached to such policies or certificates.

Read and referred to the Committee on Insurance.

Senator McCord moved that Senate Bill No. 60 pass to second reading.

Which motion prevailed.

On motion of Senator Early, the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## TUESDAY MORNING.

FEBRUARY 16, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by Rev. Dr. Roberts, of Indianapolis.

The Journal of the preceding day was ordered read.

After a portion of the Journal had been read, on motion of Senator Hogate, the further reading of the same was dispensed with.

Senator Hawkins introduced Senate Bill No. 428, entitled :

A bill for an act providing for the publication of all legal advertising in counties containing a city of more than 100,000 population in daily newspapers, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

The roll was called for the reports of standing committees.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Engrossed House Bill No. 433, introduced by Mr. Graham, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 304, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Engrossed House Bill No. 196, introduced by Mr. James, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 406, introduced by Senator Shiveley, by request, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be printed.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.



Senator Shiveley, Chairman pro tem. of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 412, introduced by Senator Gilbert, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

Senator Shiveley, Chairman pro tem. of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Engrossed House Bill No. 110, introduced by Mr. McCart, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 422, introduced by Senator Newby, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

SHIVELEY,  
Chairman *pro tem.*

MR. PRESIDENT:

A minority of your committee, to which was referred Senate Bill No. 422, introduced by Senator Newby, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

DRUMMOND.

The question being, Shall the minority report be substituted for the majority report?

The minority report was so substituted.

And when so substituted was adopted.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 393, introduced by Mr. Holler, by request, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 414, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

SHIVELEY,  
Chairman *pro tem.*

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 417, introduced by Mr. Horner, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 153, introduced by Mr. Gostlin, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 402, introduced by Senator Watson, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 426, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 232, introduced by Mr. Hawkins, would respectfully report that they have had said bill under consideration, and recommend that a new section be added as follows :

SEC. 11. That section 11 of said act shall be amended to read as follows: That no greater dividend or interest than 6 per cent. per annum shall be allowed or paid upon the capital stock of said company; that all loans made on real estate mortgage by said company shall be confined to the State of Indiana. That the directors of said company shall not be paid over three dollars (\$3.00) per day and expenses for attending the meetings of said directors. That the salary of the president of said company shall be limited to \$1,000 per annum, and the salary of the secretary of said company shall be limited to \$2,500 per annum until the surplus earnings of said company shall have reached \$1,000,000.

That sections 11 and 12 as now numbered, be numbered 12 and 13, and that the word "eleven" be stricken out of said new number section 12. That when said bill is so amended we recommend that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Engrossed House Bill No. 231, introduced by Mr. Barlow, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman *pro tem.*

Which report was concurred in.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 407, introduced by Senator Ellison, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman *pro tem.*

The Committee on Agriculture made the following reports:

MR. PRESIDENT:

A majority of your Committee on Agriculture, to which was referred House Bill No. 244, the same being a bill for an act to prevent the clipping of horses at certain times and seasons in the year, introduced by Mr. McCrea, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

KERNS, Chairman,  
COLLETT,  
GILL,  
PATTEN.

MR. PRESIDENT:

A minority of your Committee on Agriculture, to which was referred House Bill No. 244, introduced by Mr. McCrea, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

L. SCHNECK,  
CHRISTIAN HOLLER.

The minority report was substituted for the majority report on a division by which there were 16 voted in the affirmative and 13 in the negative, and the substitute report was concurred in.

Senator Bethell, Chairman of the Committee on Labor and Labor Statistics, to which was referred Senate Bill No. 198, introduced by Mr. McCord, has had the same under consideration and begs leave to report the following bill be substituted therefor, and that the same do pass.

BETHELL,  
Chairman.

Which report was concurred in.

The following substitute for Senate Bill No. 198:

A bill for an act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That no person under eighteen years of age and no woman under twenty-one years of age, employed in any manufacturing establishment, shall be required, permitted or suffered to work therein more than sixty hours in any one week, or more than ten hours in any one day, unless for the purpose of making a shorter day on the last day of the week, nor more hours in any one week than will make an average of ten hours per day for the whole number of days in which such person or such woman shall so work during such week; and in no case shall any person under eighteen years of age, or any woman under twenty-one years of age, work in any manufacturing establishment after nine o'clock in the evening or before six o'clock in the morning of any day. Every person, firm, corporation or company employing any person under

eighteen years of age, or any woman under twenty one years of age, in any manufacturing establishment, shall post and keep posted in a conspicuous place in every room where such help is employed, a printed notice stating the number of hours of labor per day required of such persons for each day of the week, and the number of hours of labor exacted or permitted to be performed by such persons shall not exceed the number of hours of labor so posted as being required. The time of beginning and ending the day's labor shall be the time stated in such notice: *Provided*, That such woman under twenty-one and persons under eighteen years of age may begin after the time set for beginning and stop before the time set in such notice for the stopping of the day's labor, but they shall not be permitted or required to perform any labor before the time stated on the notices as the time for beginning the day's labor, nor after the time stated upon the notices as the hours for ending the day's labor.

Sec. 2. No child under fourteen years of age shall be employed in any manufacturing establishment within this State. It shall be the duty of every person employing children to keep a register, in which shall be recorded the name, birthplace, age and place of residence of every person employed by him under the age of sixteen years: and it shall be unlawful for any proprietor, agent, foreman or other person in or connected with a manufacturing establishment to hire or employ any child under the age of sixteen years to work therein without there is first provided and placed on file in the office an affidavit made by the parent or guardian, stating the age, date and place of birth of said child; if said child has no parent or guardian, then such affidavit shall be made by the child, which affidavit shall be kept on file by the employer, and said register and affidavit shall be produced for inspection on demand made by the Inspector, appointed under this act. There shall be posted conspicuously in every room where children under sixteen years of age are employed a list of their names, with their ages respectively. No child under the age of sixteen years shall be employed in any manufacturing establishment who can not read and write simple sentences in the English language, except during the vacation of the public schools in the city or town where such minor lives. The Factory Inspector shall have the power to demand a certificate of physical ability from some

regular physician in the case of children who may seem physically unable to perform the labor at which they may be employed, and shall have the power to prohibit the employment of any minor that can not obtain such a certificate.

**SEC. 3.** No person, firm or corporation shall employ or permit any child under the age of fifteen years to have the care, custody, management of, or to operate, any elevator, or shall employ or permit any person under the age of eighteen years to have the care, custody, management or operation of any elevator running at a speed of over two hundred feet a minute.

**SEC. 4.** It shall be the duty of the owner or lessee of any manufacturing establishment where there is any elevator, hoisting shaft or well-hole, to cause the same to be properly and substantially inclosed or secured, if in the opinion of the Factory Inspector, it is necessary to protect the lives or limbs of those employed in such establishment. It shall also be the duty of the owner, agent or lessee of each of such establishments to provide, if in the opinion of the Inspector the safety of persons in or about the premises should require it, such proper trap or automatic doors, so fastened in or at all elevator ways as to form a substantial surface when closed, and so constructed as to open and close by the action of the elevator in its passage, either ascending or descending, but the requirements of this section shall not apply to passenger elevators that are closed on all sides. The Factory Inspector may inspect the cables, gearing, other apparatus of elevators in manufacturing establishments, and require that the same be kept in safe condition.

**SEC. 5.** Proper and substantial hand rails shall be provided on all stairways in manufacturing establishments, and where in the opinion of the Factory Inspector it is necessary, the steps of said stairs in all such establishments shall be substantially covered with rubber, securely fastened thereon, for the better safety of persons employed in said establishments.

The stairs shall be properly screened at the sides and bottom. All doors leading in or to such factory shall be so constructed as to open outwardly where practicable, and shall be neither locked, bolted nor fastened during working hours.



SEC. 6. If, in the opinion of the Factory Inspector it is necessary to insure the safety of the persons employed in any manufacturing establishment three or more stories in height, one or more fire escapes, as may be deemed by the Factory Inspector as necessary and sufficient therefor, shall be provided on the outside of such establishment, connected with each floor above the first, well fastened and secured, and of sufficient strength, each of which fire escapes shall have landings or balconies not less than six feet in length and three feet in width, guarded by an iron railing not less than three feet in height, and embracing at least two windows at each story, and connecting with the interior by easily accessible and unobstructed openings, and balconies or landings shall be connected by iron stairs not less than eighteen inches wide, the steps not to be less than six inches tread, placed at a proper slant, and protected by a well secured hand rail on both sides, with a twelve-inch wide drop ladder from the lower platform reaching to the ground. Any other plan or style of fire escape shall be sufficient, if approved by the Factory Inspector, but if not so approved, the Factory Inspector may notify the owner, proprietor or lessee of such establishment, or of the building in which such establishment is conducted, or the agent or superintendent, or either of them, in writing, that any such other plan or style of fire escapes is not sufficient, and may, by an order in writing, served in like manner, require one or more fire escapes, as he shall deem necessary and sufficient, to be provided for such establishment at such location and such plan and style as shall be specified in such written order, within twenty days after the service of such order, the number of fire escapes required in such order for such establishment shall be provided therefore, each of which shall be either of the plan and style and in accordance with the specifications in said order required, or of the plan and style in the section above described and declared to be sufficient. The windows or doors to each fire escape shall be of sufficient size and be located as far as possible consistent with accessibility, from the stairways and elevator hatchways or openings, and the ladder thereof shall extend to the roof. Stationary stairs or ladders shall be provided on the inside of such establishment from the upper story to the roof, as a means of escape in case of fire.

**Sec. 7.** It shall be the duty of the owner, agent, superintendent or other person having charge of such manufacturing establishment, or of any floor or part thereof, to report, in writing, to the Factory Inspector all accidents or injury done to any person in such factory, within forty-eight hours of the time of the accident, stating as fully as possible the extent and cause of such injury and the place where the injured person is sent, with such other information relative thereto as may be required by the Factory Inspector. The Factory Inspector is hereby authorized and empowered to fully investigate the causes of such accidents, and to require such reasonable precaution to be taken as will, in his judgment, prevent the recurrence of similar accidents.

**Sec. 8.** It shall be the duty of the owner of any manufacturing establishment, or his agents, superintendent or other person in charge of the same, to furnish and supply, or cause to be furnished and supplied therein, in the discretion of the Factory Inspector, where machinery is used, belt-shifters or other safe mechanical contrivances for the purpose of throwing on or off belts or pulleys, and, wherever possible, machinery therein shall be provided with loose pulleys. All vats, pans, saws, planers, cogs, gearing, belting, shafting, set-screws and machinery of every description therein, shall be properly guarded, and no person shall remove or make ineffective any safeguard around or attached to any planes, saws, belting, shafting or other machinery, or around any vat or pan, while the same is in use, unless for the purpose of immediately making repair thereto, and all such safeguards shall be promptly replaced, by attaching thereto a notice to that effect. The use of any machinery may be prohibited by the Factory Inspector, should such machinery be regarded as dangerous. Such notice must be signed by the Inspector, and shall only be removed after the required safeguards are provided, and the unsafe or dangerous machine shall not be used in the meantime. Exhaust fans of sufficient power shall be provided for the purpose of carrying off the dust from emery wheels and grindstones and dust-creating machinery therein. No person under eighteen years of age, and no woman under twenty-one years of age, shall be allowed to clean machinery while in motion.

**SEC. 9.** A suitable and proper wash-room and water closets shall be provided in each manufacturing establishment, and such water closets shall be properly screened and ventilated, and be kept at all times in a clean condition, and if women or girls are employed in any such establishment, the water closets used by them shall have separate approaches and be separate and apart from those used by men. All water closets shall be kept free of obscene writing and marking. A dressing room shall be provided for women and girls when required by the Factory Inspector in any manufacturing establishment in which women and girls are employed.

**SEC. 10.** Not less than sixty minutes shall be allowed for the noonday meal in any manufacturing establishment in this State. The Factory Inspector shall have the power to issue written permits in special cases allowing shorter meal time at noon, and such permit must be conspicuously posted in the main entrance of the establishment, and such permit may be revoked at any time the Factory Inspector deems necessary, and shall only be given where cause be shown.

**SEC. 11.** The walls and ceiling of each room in every manufacturing establishment shall be lime-washed or painted when in the opinion of the Factory Inspector it shall be conducive to the health or cleanliness of the persons working therein.

**SEC. 12.** The Factory Inspector, or other competent person designated for such purpose by the Factory Inspector, shall inspect any buildings used as a workshop or manufacture establishment or anything attached thereto, located therein or connected therewith, which has been represented to be unsafe or dangerous to life or limb. If it appears upon such inspection that the building or anything attached thereto, located therein or connected therewith is unsafe or dangerous to life or limb, the Factory Inspector shall order the same to be removed or rendered safe and secure, and if such notification be not complied with within a reasonable time, he shall prosecute whoever may be responsible for such delinquency.

**SEC. 13.** No room or rooms, apartment or apartments, in any tenement or dwelling house shall be used for the manufacture of coats, vests, trousers, knee pants, overalls, cloaks, fur, fur trimmings, fur garments, shirts, purses, feathers, artificial flowers or cigars, except by the immediate members of

the family living therein. No person, firm or corporation shall hire or employ any person to work in any one room or rooms, apartment or apartments, in any tenement or dwelling house or building in the rear of a tenement or dwelling house at making, in whole or in part, any coats, vests, trousers, knee pants, furs, fur trimmings, shirts, purses, feathers, artificial flowers or cigars, without obtaining first a written permit from the Factory Inspector, which permit may be revoked at any time the health of the community or of those employed therein may require it, and which permit shall not be granted until an inspection of such premises is made by the Factory Inspector, Assistant Factory Inspector, or a Deputy Factory Inspector, and the maximum number of persons allowed to be employed therein shall be stated in such permit. Such permit shall be framed and posted in a conspicuous place in the room or in any one of the rooms to which it relates.

SEC. 14. No less than two hundred and fifty cubic feet of air space shall be allowed for each person in any work room where persons are employed during the hours between six o'clock in the morning and six o'clock in the evening, and not less than four hundred cubic feet of air space shall be provided for each person in any one work room where persons are employed between six o'clock in the evening and six o'clock in the morning. By a written permit, the Factory Inspector may allow persons to be employed in a room where there are less than four hundred cubic feet of air space for each person employed between six o'clock in the evening and six o'clock in the morning, provided such room is lighted by electricity at all times during such hours while persons are employed therein. There shall be sufficient means of ventilation provided in each work room of every manufacturing establishment, and the Factory Inspector shall notify the owner in writing to provide, or cause to be provided, ample and proper means of ventilation for such work room, and shall prosecute such owner, agent or lessee if such notification be not complied with within twenty days of the service of such notice.

SEC. 15. The Governor shall appoint a Factory Inspector. Said Factory Inspector shall hold and continue in office after the expiration of his term of office until his successor shall be appointed and qualified. The term of office of the Factory Inspector shall be two years. The annual salary of such Inspector

shall be one thousand five hundred (\$1,500) dollars, payable in monthly installments. Said Inspector shall, by and with the consent of the Governor, appoint one Assistant Factory Inspector, whose salary shall be one thousand (\$1,000) dollars per year, and he shall hold his office subject to removal by said Inspector or the Governor; shall be paid monthly by the Treasurer upon the warrant of the Auditor, issued upon proper vouchers therefor.

SEC. 16. It shall be the duty of the Factory Inspector to cause this act to be enforced, and to cause all violators of this act to be prosecuted, and for that purpose he is empowered to visit and inspect at all reasonable hours and as often as shall be practicable and necessary all manufacturing establishments in this State. It shall be unlawful for any person to interfere with, obstruct or hinder said Inspector while in the performance of his duties, or to refuse to properly answer questions asked by him with reference to any of the provisions hereof. The Factory Inspector shall make an annual report to the Governor during the month of January of each year. Such Inspector shall have the power as a Notary Public to administer oaths and take affidavits in matters connected with the enforcement of the provisions of this act.

SEC. 17. The Prosecuting Attorney of any county of this State is hereby authorized, upon request of the Factory Inspector or of any other person of full age, to commence and prosecute to termination before any Circuit or Criminal Court or police court, in the name of the State, actions or proceedings against any person or persons reported to him to have violated the provisions of this act.

SEC. 18. The words "manufacturing establishment," wherever used in this act, shall be construed to mean any mill, factory or workshop where one or more persons are employed at labor.

SEC. 19. A copy of this act shall be conspicuously posted and kept posted in each room of every manufacturing establishment in the State.

SEC. 20. Any person who violates or omits to comply with any of the provisions of this act, or who suffers or permits any child to be employed in violation of its provisions, shall be deemed guilty of a misdemeanor, and on conviction shall be

punished by a fine of not less than twenty nor more than fifty dollars for the first offense, and not more than one hundred dollars for the second offense or imprisonment for not more than ten days, and for the third offense a fine of not less than two hundred and fifty dollars, and not more than thirty days' imprisonment.

SEC. 21. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 22. Whereas an emergency exists for the immediate taking effect of this law, the same shall be in force from and after its passage.

Special Order—Senate Bill No. 167 was taken up for consideration.

Senator Shiveley was called to the chair to preside at 10:35.

The question being on the adoption of the amendment offered by Senator Hawkins to Senate Bill No. 167 on the 16th of February.

The amendment was under discussion when Senator Ball moved to indefinitely postpone the further consideration of the bill.

The ayes and noes were demanded by Senators Self and Humphreys.

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Gilbert, Gill, Holler, Houghton, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Mull, New, Newby, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shiveley, Stroup, White. Total, 29.

Those voting in the negative were:

Senators Drummond, Duncan, Ellison, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Hugg, Leich, McCord, O'Brien, Shea, Sweeney, Watson, Wood. Total, 17.

So the further consideration of Senate Bill No. 167 was indefinitely postponed.

Senator Early called up Senate Bill No. 258.

The bill was read a second time by title.

Senator Early offered the following amendment:

MR. PRESIDENT:

I move to strike out the words "done and" in line 8, of section 1, of Senate Bill No. 258.

EARLY.

Which amendment was adopted.

Senator Early then moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White.  
Total, 44.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten,

Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Watson called up Senate Bill No. 402.

The bill was read a second time by title and ordered engrossed.

Senator Gostlin called up Senate Bill No. 342.

The bill was read a second time by title.

Senator Ellison offered the following amendment, No. 1 :

MR. PRESIDENT :

I move to amend Senate Bill No. 342 by adding to the end of section 1 these words: “ *Provided*, That nothing in this act shall be deemed to confer jurisdiction in actions relating to real estate and the title thereto.”

ELLISON.

Which amendment was not adopted on a division by which 16 voted in the affirmative and 17 in the negative.

Senator Ellison offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 342 by striking out the enacting clause.

ELLISON.

The question being, Shall the amendment of Senator Ellison be adopted?

The ayes and noes were demanded by Senators Ellison and Drummond.

The roll was called.

Those voting in the affirmative were :

Senators Bobilya, Collett, Drummond, Ellison, Gill, Hawkins, Horner, Hugg, Humphreys, New, O'Connor, Patten, Stroup, Sweeney. Total, 14.



Those voting in the negative were:

Senators Ball, Bozeman, Culbert, Gochenour, Goodwine, Gostlin, Hogate, Holler, Houghton, Hubbell, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Watson, White. Wood. Total, 25.

And the amendment was therefore lost, and the bill was ordered engrossed.

Senator LaFollette called up Senate Bill No. 390.

The bill was read a second time by title and ordered engrossed.

Senator Newby was called to the chair to preside at 11:10.

Lieutenant-Governor Haggard resumed the chair at 11:40.

Senate Bill No. 295 was taken up as a special order for this hour.

Senator Mull offered the following amendment:

MR. PRESIDENT:

I move to amend section one of Senate Bill No. 295 by adding the following provision thereto:

*Provided, however,* That said Boards of Trustees and Common Councils shall have power to require such repairs to be made upon the streets and sidewalks of their respective towns and cities as may be necessary to avoid the liability of such towns and cities for damages on account of accidents which might occur if such repairs were not made and to enforce payment of the cost of such repairs according to the provisions of the statute now in force.

MULL.

Which amendment was adopted.

Senator Newby moved that Senate Bill No. 295 be recommitted to Committee on Cities and Towns.

Which motion prevailed on a division of the Senate by which 23 voted in the affirmative and 17 in the negative.

On motion of Senator Shiveley the Senate adjourned.

## TUESDAY AFTERNOON.

FEBRUARY 16, 1897.

The Senate convened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

Senator Early offered the following Senate Joint Resolution No. 4:

**A Joint Resolution to amend section two (2) of Article seven (7) of the Constitution of the State of Indiana.**

**SECTION 1.** *Be it resolved by the General Assembly of the State of Indiana, That the following proposed amendment to the Constitution of said State be, and the same is now agreed to and referred to the General Assembly of said State to be chosen at the next general election.*

Amend section two (2) of Article seven (7) of said Constitution to read as follows:

**SEC. 2.** The Supreme Court shall consist of not less than five (5) nor more than eleven (11) judges, a majority of whom shall form a quorum and they shall hold their offices for six years if they so long behave well.

Read the first time and referred to the Committee on the Revision of the Constitution.

Senator Early offered the following Senate Joint Resolution No. 5.

**A joint resolution to amend section twenty-one (21) of article seven (7) of the Constitution of the State of Indiana.**

**SECTION 1.** *Be it resolved by the General Assembly of the State of Indiana, That the following proposed amendment to the Constitution of said State be, and the same is now agreed to and referred to the General Assembly of said State to be chosen at the next general election.*

**SEC. 21.** The General Assembly shall by law prescribe what qualifications shall be necessary for admission to practice law in all courts of justice.

Read first time and referred to the Committee on the Revision of the Constitution.

Senator Newby moved to reconsider the vote by which the report on Senate Bill No. 407 was concurred in.

Which motion prevailed.

Senator Newby moved that Senate Bill No. 407 be referred to the Committee on Judiciary.

Which motion prevailed.

Senator Early moved to reconsider the vote by which the report on Senate Bill No. 413 was concurred in.

Which motion prevailed.

Senator Early asked that Senate Bill No. 413 be referred to the Committee on Judiciary.

Which request was granted.

The roll was ordered called for Senate bills on third reading.

Senator Bethell called up Senate Bill No. 117.

Which was read a third time and put upon its passage.

Senator Newby made the following motion :

MR. PRESIDENT :

I move to recommit Substitute Senate Bill No. 117 to its author with instructions to amend the same by striking out of lines 3 and 4, of section 3, the following words, to wit: "and no more than two members of said Board at any time shall belong to the same political party."

NEWBY.

Which motion prevailed.

Senator Hawkins was called to the chair at 2:35 o'clock P. M.

Lieutenant-Governor Haggard resumed the chair at 2:40 o'clock P. M.

Senator Watson made the following motion :

MR. PRESIDENT :

I move you that Substituted Bill No. 117 be recommitted to its author and be amended as follows :

After the word Indiana in line one (1), section one (1), of the printed bill, by adding the words "that the office of Directors of the State Prison South, at Jeffersonville, is hereby abolished on April 1, 1897, and"

WATSON.

Which motion prevailed.

Senator Holler, a committee of one, to whom was referred Senate Bill No. 117, with instructions to amend in compliance with the motions of Senators Newby and Watson, made the following report :

MR. PRESIDENT :

Your committee of one to which was referred Senate Bill No. 117, begs leave to report that he has amended said bill by striking out of lines 3 and 4 of section 3, the following words, to wit: "and no more than two (2) members of said Board at any time shall belong to the same political party."

And, also, by adding the words, "That the office of Directors of State Prison South, at Jeffersonville, is hereby abolished on April 1, 1897, and" after the word Indiana in line one (1) of section one (1).

C. HOLLER.

Which report was concurred in.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 49, 214, 430, 351, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Act No. 89, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 366, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 366, entitled :

A bill for an act to compel owners of coal mines to make maps of mines, to file copies of the same with the Inspector of Mines, to make monthly reports of certain matters to said Inspector, providing a penalty for failure to comply with its provisions, and providing an office for the said Inspector.

Read first time and referred to the Committee on Mines, Mining and Manufacturing.

Senators Gilbert, McCord and LaFollette were granted leave of absence to attend a committee meeting.

The question being on the passage of Senate Bill No. 117.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Conner, Pat-ten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson, White, Wood. Total, 48.

Those voting in the negative were :

Senators, Alexander, Bobilya, Campbell, Humphreys, Johnston of Dearborn, Stroup. Total, 6.

And so the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Alexander called up Senate Bill No. 366.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Ellison, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Conner, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 44.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Bozeman called up Senate Bill No. 324.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Culbert, Duncan, Gochenour, Goodwine, Gostlin, Hawkins,

Hogate, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, Leich, Mull, New, Newby, O'Brien, O'Conner, Patten, Phares, Schneck, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 34.

Those voting in the negative were :

Senators Campbell, Gill, Horner, Johnston of Dearborn, Nusbaum, Rinear, Sweeney. Total, 7.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Campbell called up Senate Bill No. 213.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, Wood. Total, 41.

Those voting in the negative were :

Senators Ellison and Johnston of Dearborn. Total, 2.

And so the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 339, 340, 341, 2 and 21, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 5, with engrossed House amendment thereto, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed House Bill No. 236, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 236, entitled :

A bill for an act providing for recording leases of real estate.

Read first time and referred to the Committee on Judiciary.

Senator Early moved that the Senate concur in House Amendment to Senate Bill No. 5.

Which motion prevailed.

Senator Collett called up Senate Bill No. 266.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour,



Goodwine, Gostlin, Holler, Horner, Hubbell, Kerns, Leich, Mull, Newby, Nusbaum, O'Brien, O'Connor, Phares, Schneck, Shea, Shiveley, Stroup, Watson, Wood. Total, 32.

Those voting in the negative were :

Senators Culbert, Hawkins, Hogate, Houghton, Hugg, Humphreys, Johnston of Dearborn, LaFollette, New, Patten, Rinear and White. Total, 12.

And so the bill passed.

Senator Shiveley was called to the chair at 3:55 o'clock P. M.

Senator Culbert called up Senate Bill No. 361.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Ball, Bozeman, Campbell, Culbert, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Drummond called up Senate Bill No. 318.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Gilbert, Goar, Goodwine,

Gostlin, Hogate, Holler, Horner, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, New, Newby, Nusbaum, O'Brien, Phares, Schneck, Self, Shea, Shiveley, Stroup, Wood. Total, 33.

Those voting in the negative were :

Senators Bethell, Ellison, Gill, Houghton, Humphreys, La-Follette, Patten, Rinear, Sweeney, White. Total, 10.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

Senator Shea offered the following amendment :

MR. PRESIDENT :

I move to amend the title of Senate Bill No. 318 by inserting the words "and named" after "indexed" in line 4 of engrossed bill.

SHEA.

Which amendment was adopted.

Senator Duncan called up Senate Bill No. 381.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Campbell, Collett, Duncan, Early, Gilbert, Gill, Goar, Goodwine, Gostlin, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Hogate introduced Senate Bill No. 429, entitled :

A bill for an act to provide for the printing, indexing and binding the Session Acts; the printing and binding the House, Senate and Documentary Journals to be distributed by the State Librarian; fixing a basis for the number of the Session Acts to be printed and the number to be distributed by the Secretary of State, declaring who shall be entitled to receive copies of the Session Acts and House, Senate and Documentary Journals, and allowing the Secretary of State compensation for the superintending of such printing, indexing, binding and distribution.

Read first time and referred to the Committee on Finance.

Senator Ball, by request, introduced Senate Bill No. 430, entitled :

A bill for an act for the relief of Robert Cones, late County Treasurer of Decatur County, Indiana, now a resident of Delaware County, Indiana.

Read first time and referred to Committee on Judiciary.

Senator Ball introduced Senate Bill No. 431, entitled :

A bill for an act to amend an act entitled an act authorizing cities and incorporated towns to change and reform their boundaries so as to exclude therefrom suburban lots or tracts of lands not laid out in lots, approved March 3, 1887.

Read first time and referred to Committee on Cities and Towns.

Senator Gostlin introduced Senate Bill No. 432, entitled :

A bill for an act to legalize free gravel road bonds issued in certain cases and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Hugg withdrew his motion to reconsider Senate Bill No. 120.

Senator Patten introduced Senate Bill No. 433, by request, entitled :

A bill for an act concerning elections, providing against the influencing, intimidation and coercion of employes, prescribing penalties for the violation of the same and repealing all laws in conflict therewith.

Read first time and referred to the Committee on Elections.

Senator Horner introduced Senate Bill No. 434, entitled :

A bill for an act to provide for the repair and reconstruction of certain ditches heretofore constructed for drainage purposes but now out of repair, and providing for the manner of making such repairs.

Read first time and referred to the Committee on Swamp Lands and Drains.

On motion of Senator Watson the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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WEDNESDAY MORNING.

FEBRUARY 17, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by Rev. Appleby of St. Paul's Methodist Episcopal Church.

The Assistant Secretary of the Senate read a portion of the Journal when, on motion of Senator Rinear, the further reading of the same was dispensed with.

Senator Gostlin, Chairman of the Committee on Elections, made the following report :

MR. PRESIDENT :

Your Committee on Elections, to which was referred Senate Bill No. 379, introduced by Senator New, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. H. GOSTLIN.  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 416, introduced by Senator Mull, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 29, introduced by Senator Shiveley, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
ELLISON.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 29, introduced by Senator Shiveley, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

J. D. EARLY.

The question being, Shall the minority report be substituted for the majority report?

The question was debated for some time.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 387, 287, 337, 93, 198, 213, 480, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 178, with engrossed House amendment thereto, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 117, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 387, entitled :

A bill for an act to amend section ten of an act entitled an act concerning ferries and prescribing punishment for the violation of its provisions, approved April 16, 1881, the same being section 4888, Revised Statutes 1881.

Read first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 287, entitled :

A bill for an act to confirm and make valid sales of real estate in the State of Indiana, made by trustees and by domestic and foreign executors and administrators.

Read first time and referred to the Committee on Judiciary

**Engrossed House Bill No. 337, entitled :**

**A bill for an act to prohibit the destruction of Mongolian or Chinese pheasants within this State.**

**Read first time and referred to the Committee on Federal Relations.**

**Engrossed House Bill No. 93, entitled :**

**A bill for an act to amend section two (2) of an act entitled an act concerning liens of mechanics, laborers and material men, amending sections 1, 2, 3 and 6 of an act entitled an act concerning liens of mechanics, laborers and material men, approved March 6, 1883, repealing section 5 of said act, amending section 1 of an act entitled an act concerning liens of mechanics, laborers and material men, approved April 13, 1885, repealing all laws and parts of laws in conflict therewith and declaring an emergency.**

**Read first time and referred to the Committee on Judiciary.**

**Engrossed House Bill No. 198, entitled :**

**A bill for an act in relation to conveyances of land by wives of persons of unsound mind, habitual drunkards, and minors under certain circumstances, and declaring an emergency.**

**Read first time and referred to the Committee on Judiciary.**

**Engrossed House Bill No. 213, entitled :**

**A bill for an act concerning preferences by private corporations.**

**Read first time and referred to Committee on Judiciary.**

**Engrossed House Bill No. 480, entitled :**

**A bill for an act to limit the power of Township Trustees to incur debts and purchase supplies in excess of seventy-five dollars without approval of Boards of County Commissioners, making it unlawful to draw upon one fund to replenish another, except as provided, providing for reports to County Commissioners, providing penalty and repealing all laws in conflict.**

**Read first time and referred to the Committee on Judiciary.**

Senator Early withdrew the minority report on Senate Bill No. 29.

The question then being on the adoption of the majority report.

The ayes and noes were demanded by Senators Newby and Early.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, Mull, New, Newby, Nusbbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 45.

None voting in the negative.

So the majority report was concurred in.

Senator Ellison moved that the Senate concur in Engrossed House amendment to Senate Bill No. 178.

The motion prevailed.

Senator Gochenour moved that Senate Bill No. 358 be re-committed to the Committee on Swamp Lands and Drains.

The motion prevailed and the bill was recommitted.

Senator Early, Chairman of the Committee on Revision of the Constitution, made the following report :

MR. PRESIDENT :

Your Committee on Revision of the Constitution, to which was referred Senate Joint Resolution No. 4, introduced by Senator Early, the same being a proposed amendment, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

J. D. EARLY,  
Chairman.

Which report was concurred in.



Senator Early, Chairman of the Committee on Revision of the Constitution, made the following report:

MR. PRESIDENT:

Your Committee on Revision of the Constitution, to which was referred Joint Resolution No. 5, introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

J. D. EARLY,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 864, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be recommitted to the Committee on Affairs of the City of Indianapolis.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 375, introduced by Senator Humphreys, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 247, introduced by Senator Shea, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 103, introduced by Senator Leich, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 130, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred House Bill No. 199, introduced by Mr. Canada, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report :

MR. PRESIDENT :

Your Committee on Claims and Expenditures, to which was referred Senate Bill No. 347, introduced by Senator Watson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

HUGG,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report :

MR. PRESIDENT :

Your Committee on Claims and Expenditures, to which was referred Senate Bill No. 314, introduced by Senator New, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGG,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT :

Your Committee on Claims and Expenditures, to which was referred Senate Bill No. 409, introduced by Senator Hawkins, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGG,  
Chairman.

Which report was concurred in.

Senator Johnson of Madison introduced Senate Bill No. 485, entitled :

A bill for an act abolishing contract labor in the State Prisons and establishing the public account system, providing the disposition and use of the articles manufactured in said prisons, defining the powers and duties of the Superintendent, providing for the elimination of machinery, providing for the instruction of convicts, repealing all laws inconsistent herewith, and declaring an emergency.

Read first time and referred to Committee on Labor.

Senator Early called up Senate Bill No. 394.

The bill was read a third time and put upon its passage.

On motion of Senator Rinear, the Senate adjourned.

## WEDNESDAY AFTERNOON.

FEBRUARY 17, 1897.

The Senate reconvened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

The question being on the passage of Senate Bill No. 394.

Senator Campbell moved that the further consideration of the bill be indefinitely postponed.

Which motion did not prevail.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Seeators Culbert, Duncan, Early, Ellison, Gostlin, Holler, Horner, Hugg, Johnson of Madison, McCord, O'Brien, Phares, Schneck. Total, 13.

Those voting in the negative were:

Senators Alexander, Ball, Bobilya, Campbell, Collett, Drummond, Gill, Gochenour, Goodwine, Hawkins, Hogate, Houghton, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, Nusbaum, Patten, Rinear, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 28.

And the bill failed to pass.

Senators O'Brien, Duncan, Holler, Hubbell and Johnson of Madison, presented petitions from their respective constituencies praying that the Senate pass Senate Bill No. 364.

Which were referred to the Committee on Roads.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Act No. 177, and the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Senator Ellison called up Senate Bill No. 61.

Which was read a third time by sections.

Senator Sweeney moved that the further consideration of said bill be made a special order for Tuesday, February 23, 1897, at 2 o'clock P. M.

Which motion prevailed on a division, by which 27 Senators voted in the affirmative and 16 in the negative.

Senator Gilbert called up Senate Bill No. 42.

The bill was read a third time by sections.

Senator Shiveley made the following motion:

MR. PRESIDENT:

I move to recommit Senate Bill No. 42 to the author with instructions to amend section 1 by striking out the following words in lines 3 and 4 of said section: "Who own, control, or manufacture the output of any article hereinafter mentioned, and."

SHIVELEY.

Senator Goar was excused upon request of Senator Hogate.

Senator Wood was called to the chair at 2:50 P. M.

Lieutenant Governor Haggard resumed the chair at 3 o'clock.

The question being on the motion of Senator Shiveley.

The ayes and noes were demanded by Senators Ellison and Shiveley.

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Ellison, Gochenour, Goodwine, Hogate, Horner, Houghton, Hugg, Humphries, Johnson of Madison, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Shea, Shiveley, Stroup, White. Total, 24.

Those voting in the negative were:

Senators Drummond, Early, Gilbert, Gill, Gostlin, Hawkins, Holler, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, New, Newby, Nusbaum, Schneck, Self, Sweeney, Watson, Wood. Total, 19.

And the motion prevailed, and the bill was recommitted.

Senator Gilbert, a committee of one, to which was referred Senate Bill No. 42, with instructions to make certain amendments, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Senate Bill No. 42, reports the same back amended according to the instructions of the Senate.

GILBERT.

Which report was concurred in.

Senator Shiveley made the following motion:

MR. PRESIDENT:

I move to recommit Senate Bill No. 42 to its author, with instructions to amend section 1 of said bill by striking out of lines 15 and 16 of said section the following words: "so owning, controlling or manufacturing the output of such articles of trade."

SHIVELEY.

Which motion did not prevail.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 41.

Those voting in the negative were:

Senators Bobilya, Gochenour, Johnston of Dearborn, Leich, Shiveley. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

Senator Gill called up Senate Bill No. 331.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Campbell, Collett, Ellison, Gill, Goodwine, Gostlin, Hogate, Horner, Hugg, Humphreys, Leich, New, Nusbäum, O'Connor, Patten, Rinear, Wood. Total, 18.

Those voting in the negative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Culbert, Drummond, Duncan, Gilbert, Gochenour, Hawkins, Holler, Houghton, Johnston of Dearborn, Kerns, LaFollette, McCord, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Sweeney, Watson, White. Total, 26.

So the bill failed to pass.

Senator Sweeney moved that the vote by which Senate Bill No. 61 was made a special order for Tuesday, February 28, at 10 o'clock, be reconsidered.

Senator Wood moved that the Senate do now adjourn.

The motion to adjourn was held out of order.

Senator Wood moved that the Senate do now adjourn.

The ayes and noes were demanded by Senators Hawkins and Bobilya.

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Collett, Culbert, Gochenour, Gostlin, Hogate, O'Connor, Wood. Total, 9.

Those voting in the negative were:

Senators Alexander, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goodwine, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull,



New, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White. Total, 38.

So the motion did not prevail.

The question then recurring on the motion of Senator Sweeney to reconsider the vote by which Senate Bill No. 61 was made a special order for Tuesday, and his motion prevailed.

Senator McCord moved that the record by which Senate Bill No. 60 was by mistake referred to as Senate Bill No. 61 be corrected.

The motion prevailed.

Senator Watson moved that the vote by which the report of the Committee on House Bill No. 433 was concurred in be reconsidered.

The motion prevailed.

Senator Watson then moved that House Bill No. 433 be re-committed to the Committee on Judiciary.

The motion prevailed.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 2, 339 and 340, introduced by Senators Bobilya and Hawkins, and has compared the same with the engrossed bills and find that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Newby arose to a question of personal privilege, submitting an article published by the *News* of this date for reading as a part of said privilege.

Senator Drummond objected to the reading of the article in the *News*, and upon his objection based a point of order.

The President declared the point of order not well taken and instructed the Reading Clerk to continue the reading of the article, which was as follows :

EARLY SAYS HE WAS TRICKED.

Senator Early says that he was made the victim of a trick by Senator Newby, Chairman of the Judiciary Committee, in appearing this morning as the sole signer of a minority report against Senator Shiveley's anti-trust bill. Early says that he signed the report with the understanding that it was to be the majority report, and that nine other names of the Judiciary Committee were to appear with his in opposition to the bill. Instead of this, members whom he says he knew to be opposed to the bill refrained from signing any report, and thus permitted a report, with only two names in favor of the bill, to become the majority report. This was the result, Early says, of a scheme by Newby to place himself (Early) and the Marion County Senators, all supporters of the New street railroad bill, in the light of being opponents of anti trust legislation and the supporters of corporations.

The idea, Early says, was to influence some of the other Senators against the street railroad bill. Early says he opposed the Shiveley bill, not as an anti-trust measure, but because it did not affect the real trusts.

Other Senators interested say that they understood Senator Early's opposition to the bill was due to the effect the measure would have on commercial enterprises of his friends.

Question by Senator Newby of Senator Early :

"When I laid the two reports on the Shiveley bill, No. 29, before you this morning for your signature, did I in any manner dictate to you which you should sign?"

Answer by Senator Early :

"You did not. I had been informed that ten members of the committee would sign a report adversely to the Shiveley bill, and in favor of the Gilbert bill. I naturally supposed this was the fact, and signed the report, only to be surprised when it was read to discover that I alone was a signer of the

adverse report; that Senators Shiveley and Ellison had signed a favorable report, and the other members of the committee, eight in number, had not signed either report."

So the question of personal privilege rested.

Senator Hogate moved to make Senate Bill No. 61 a special order for 10 o'clock Friday.

Senator Ellison moved that Senator Hogate's motion be amended by making the time 10:30 to-morrow.

And on a division the amendment was adopted and the motion as amended prevailed.

Senator Collett offered Senate Resolution No. 41, as follows:

WHEREAS, At the last session of this Senate a resolution was adopted authorizing the Lieutenant-Governor to appoint a committee of three hold-over Senators to investigate the questions involved in prison labor, and to report at this session, by bill or otherwise; and,

WHEREAS, The Lieutenant-Governor appointed as that committee Senators Holler, Ellison and Duncan; and,

WHEREAS, Said committee was at considerable expense in visiting penal institutions of the country, the result of which was the introduction of Senate Bill No. 117, which has just passed both houses of the General Assembly, as well as Bills Nos. 119 and 120, now pending in the House; now therefore be it

*Resolved*, That the Senate Committee on Claims be instructed to investigate and determine the amount so expended by the individual members of said committee, and to report to this Senate what amount, if any, should be repaid them for said expenses.

COLLETT.

Which resolution was read and referred to the Committee on Claims and Expenditures.

On motion of Senator Ellison the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## THURSDAY MORNING.

FEBRUARY 18, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by the Rev. Dr. Hayes of the Presbyterian Church of this city.

After a portion of the Journal had been read by the Assistant Secretary of the Senate, the further reading of the same was dispensed with, on motion of Senator Collett.

The roll was called for the reports of standing committees.

Senator Mull, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 429, introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

MULL,  
Chairman.

Which report was concurred in.

Senator Hogate moved that the constitutional rule requiring that bills be read on three several days be suspended, that Senate Bill No. 429 be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Bethell, Bobilya, Bozeman, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn,

Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 43.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Bethell, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The Committee on Finance made the following reports :

MR. PRESIDENT :

A majority of your Committee on Finance, to which was referred Senate Bill No. 391, introduced by Senator LaFollette, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

MULL,  
Chairman,  
SELF,  
LEICH,  
BOBILYA,  
HOGATE.

MR. PRESIDENT :

A minority of your Committee on Finance, to which was referred Senate Bill No. 391, introduced by Senator LaFollette, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER,  
RINEAR.

Senator LaFollette, Chairman of the Committee on Building and Loan Associations, made the following report :

MR. PRESIDENT :

Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 284, introduced by Senator McCord, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following be substituted therefor, and that when substituted the same do pass.

LAFOLLETTE,  
Chairman.

Which report was concurred in.

Substitute Senate Bill No. 284, entitled :

A bill for an act concerning building, loan fund and saving associations, and the fees and charges thereof, prescribing certain duties of persons named therein, and the penalties for the violation thereof, and repealing all laws in conflict therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That every association heretofore or hereafter incorporated under any laws of this State providing for the incorporation of building, loan fund and saving associations, and every association heretofore or hereafter incorporated for the purpose of raising money to be loaned or advanced among its members shall be known in this act as a building and loan association.

SEC. 2. That it shall be unlawful for any building and loan association doing business in the State of Indiana to charge or collect from any of the members thereof on any stock or shares of stock therein, any money or moneys other than membership fees, dues on stock, premium, interest, fines, forfeitures. All

membership fees, fines, forfeitures, premiums and interest shall be credited to the earnings of such building and loan association, and no association shall charge or collect a membership fee of more than fifty cents on each one hundred dollars of stock issued. Such association shall have the right to set aside from the profits a reserve fund to provide against contingent losses: *Provided*, That the total amount of such fund so set aside shall not at any time exceed three per centum of the assets of such association.

SEC. 3. It shall be the duty of every such association to furnish an annual written or printed statement of the condition of such association to each of the stockholders thereof, which said statement shall be delivered personally or mailed to the stockholder. Such statement shall show, separately, amount of membership fees, dues, interest, fines, forfeitures, together with all moneys received by it from any source whatever, and a full showing of all payments on loans, dividends, salaries and all expenditures of every character, being a full, complete financial statement of such association. The statement shall be sworn to by the secretary and certified by the directors or a majority thereof.

SEC. 4. All building and loan associations, as such, shall be exempt from taxation. Shares of stock on which loans have not been made or advanced by the association, which stock is paid up, prepaid, or paid in advance, shall be considered and held as credits of the members individually, and listed by them, and assessed against them for taxation as other property. Shares of stock upon which loans have been made to their full value shall be exempt from taxation. Shares upon which loans have been made to a part of their value only shall be exempt to such part.

SEC. 5. It shall be the duty of the Auditor of State annually to make, or cause to be made, an examination of the affairs of every building and loan association, and if any association is being carried on in violation of law, to require such association to conform to the laws concerning the same; any association refusing to comply with the order of the Auditor of State in reference to any such matter within ten days after receiving notice shall be subject to a penalty of five dollars per day for such failure or refusal, which said penalty shall be payable to

the State of Indiana and recoverable as other penalties due the State. Should any such association be found to be insolvent, or shall fail or refuse to comply with the Auditor of State for thirty days, the Auditor of State shall apply to the Circuit or Superior Court of the County where the same is situated, for the appointment of a receiver, who shall proceed to close up the business of such association, and no receiver shall be appointed for such association except on the application of the Auditor of State. The Auditor of State may, at any time, when so requested, make, or cause to be made, an examination of the affairs of such association, upon a petition being filed by ten stockholders: *Provided*, Such stockholders shall file a bond securing to such association the full cost of such examination, should the same show no cause for such examination.

The Auditor of State shall be allowed the sum of five dollars per day and one dollar for every twenty-five miles necessarily traveled to make such examination.

SEC. 6. Any stockholder whose stock is unpledged for a loan, wishing to withdraw from such association within one year from time of issuing his stock, may do so upon three months' notice in writing, given to the Board of Directors, when such withdrawing stock shall be entitled to receive the full amount paid in upon the stock to be withdrawn, less all fines and *pro rata* share of losses sustained prior to the time of notice of withdrawal. If such withdrawal is made after one year from the time of issuing of stock, such withdrawing stockholder shall be entitled to the amount paid in on dues and the profits thereon, less all fines or forfeitures, and such part of the profits as shall be carried to the reserve or contingent fund: *Provided*, That not more than one-half of the funds in the treasury shall be applicable to the demands of withdrawing stockholders unless otherwise ordered by the Board of Directors. Such association shall have the power to provide for the assessment of fines for non-payment of dues, premium or interest; but such fines shall not exceed ten per centum of the amount of the delinquent installment of dues, and shall be charged only once on such installment.

Such association shall have the power to provide for the forfeiture of stock for the non-payment of dues, premium or interest for three months. After the payment of all fines and



other amounts due the association, the remainder, if any, shall be credited to such stockholder, and he shall be notified of the amount due him, or in case he is a borrower such remainder shall be credited on his loan, and the balance of said loan shall be due and payable and may be collected at once on foreclosure. The bonds, notes or mortgages, belonging to any association shall not be negotiable except upon an order of the Circuit or Superior Court of the county in which the principal office of said association is situated.

SEC. 7. The capital stock of any association may be fixed originally in any sum, or upon the order of the Board of Directors thereof be increased to any amount the directors shall deem advisable. No director shall become a surety on the bond of any secretary or treasurer, or any officer of such association.

SEC. 8. Any two or more associations of this State may consolidate into a single corporation by a majority vote of all the stockholders of the different associations at a special meeting of each association called for that purpose, of which at least thirty days notice shall have been given to each member, the consolidation to be upon such terms as shall be mutually agreed upon by the directors of such association and such terms shall be plainly set forth to each member in the notices of such special meetings. Any member not consenting to such consolidation shall be entitled to receive the withdrawal value of his stock in settlement or to have such value applied in part settlement of his loan if he will be a borrower.

SEC. 9. Every President, Director, Trustee, member of any committee, Secretary, Treasurer, attorney, or any other officer at any time created, or agent of any such building and loan association, who embezzles, abstracts, or willfully misapplies any of the moneys, funds, or credits of such association, or who issues or puts in circulation any warrant or other order, or who assigns, transfers, cancels, or delivers up any note, bond, draft, mortgage, judgment, decree or any other written instrument belonging to such association, or raises money otherwise, or receives money from any member or other person, for and in the name of such association, unless duly authorized by the Board of Directors of such association, or who signs the name of any person to any order or warrant for the payment of

money without proper power of attorney or written order from such person, to whose order such warrant or order is made payable, or any member or members of the Board of Directors who shall vote to declare or advise the Board of Directors of such association, to declare a greater dividend than what has been actually earned by the association, for the purpose of deceiving the people or defrauding the members of such association; or who certifies to or makes any false entry on any book, report or statement, of or to such association, with the intent, in either case, to deceive, injure or defraud the association, or any other company, both politic or corporate, or any individual person, or to deceive any one appointed to examine the affairs of such association, and every person who with like intent, aids or abets any President, Secretary, Treasurer, committee or other person, in any violation of this section shall be deemed guilty of a felony and shall be imprisoned not less than one year nor more than ten years, and shall be liable civilly to the party injured, to the extent of such damage thereby incurred and suit may be brought against such person, and the sureties on his bond given to such association for the faithful performance of his duties. Any officer whose duty it is, failing to make the reports provided by this act, and any officer, employe or other person who solicits business for, aids or assists any building and loan association to do business contrary to the provisions of this act, or without having complied with the provisions of the law relating to building and loan associations, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined not more than five hundred dollars or imprisoned not more than six months, or both.

SEC. 10. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 11. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Senator LaFollette, Chairman of the Committee on Building and Loan Associations, made the following report:

MR. PRESIDENT:

Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 22, introduced by Senator

Newby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

LAFOLLETTE,  
Chairman.

Which report was concurred in.

Senator Hogate moved that Substitute Senate Bills Nos. 94 and 95 be ordered engrossed.

Which motion prevailed.

Senate Bill No. 61 was taken up as a special order of the hour.

Senator Hogate made the following motion :

MR. PRESIDENT :

I move to refer Substitute Senate Bill No. 61 to a committee of one—its author—with instruction to amend said bill as follows :

Strike out all of said bill commencing with the word "*Provided*," in line 89, down to and including the word "parties," in line 48, and insert in lieu of the parts so stricken out the following: "*Provided*, That at or before the expiration of the contract period of the occupying company, such city, through its Board of Public Works, shall open to *free* competition the further occupancy, for a period of thirty years, the streets of such city for the purpose of operating an electric street railroad; and such city, through its Board of Public Works, shall prescribe all conditions and limitations for such use of such streets, and may prescribe what streets shall and what streets shall not be occupied for such purposes; also prescribe the maximum cash and ticket fares to be charged; what paving between the tracks and outside thereof shall be required of such company or companies so competing, and such other conditions as shall best promote the interest of such city and the public, and in such competition no company now organized or hereafter organized for such purpose shall be excluded. And if the occupying company shall not be the successful competitor, then such company as shall be successful in the competition shall, immediately after the acceptance of his bid by

said city, through its Board of Public Works, file in the Circuit Court of the county in which such city is located a complaint or petition for an appropriation or assessment of damages of the occupying company, describing the plant, property, power houses, cars, electric lines and poles and all other appurtenances and appliances connected with and used as a part of such railway system of such occupying company, to be appropriated, to which proceeding all persons having an interest in or lien upon such property shall be made parties."

HOGATE.

Senator Humphreys moved that all speeches made during the debate on Senate Bill No. 61 be limited to ten minutes.

The motion did not prevail.

Senator O'Brien was called to the chair to preside at 11:45.

Lieutenant-Governor Haggard resumed the chair at 11:55.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 181, 579, 580 and 581, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Engrossed House Bill No. 181, entitled:

A bill for an act to amend section twenty-two (22) of an act entitled an act concerning inclosures, trespassing animals and partition fences, approved June 4, 1852, being section No. 4855, Revised Statutes of 1881, providing for maintaining and determining the value thereof, and prescribing a penalty for refusing and preventing another joining a fence and repealing all laws and parts of laws in conflict therewith.

Read first time and referred to the Committee on Federal Relations.

Engrossed House Bill No. 579, entitled:

A bill for an act to amend section 36 of an act entitled an act to provide for the incorporation of railroad companies, approved May 11, 1852, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 580, entitled:

A bill for an act to amend sections 152 and 227 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, approved March 6, 1891, and designated respectively as sections 8570 and 8645 of Burns' Annotated Revision of 1894.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 581, entitled:

A bill for an act to legalize free gravel road bonds issued in certain cases and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Ellison made the following motion as a substitute for the motion of Senate Hogate:

MR. PRESIDENT:

I move as a substitute to the amendment of Senator Hogate: "That said city shall have power from time to time to fix the maximum and minimum rates of fare, not in any event to exceed five cents, that shall be charged by any street railway company that occupies and uses its streets that will yet give to such company a net revenue of not to exceed six per cent. of the value of such railway properly.

ELLISON.

The following message was received from the Governor:

FEBRUARY 18, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 89, an act fixing the compensation and prescribing the duties of certain

State and county officers, and the same has been duly deposited with the Secretary of State.

CHARLES E. WILSON,  
Private Secretary.

Read in the Senate at 11:50 o'clock A. M.

On motion of Senator Shiveley the Senate adjourned.

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## THURSDAY AFTERNOON.

FEBRUARY 18, 1896.

The Senate reconvened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

Senator McCord called up Engrossed House Bill No. 579, and moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Campbell, Culbert, Drummond, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Conner, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 46.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The Senate resumed the consideration of Senator Ellison's substitute for the motion of Senator Hogate to re-commit Senate Bill No. 61, to its author for amendment.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 88, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 227, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Act No. 579, and the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

**Engrossed House Bill No. 88, entitled :**

A bill for an act to fix the time of holding elections in incorporated towns, and repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

**MR. PRESIDENT :**

Your Committee on Enrolled Bills begs leave to report that they have examined Enrolled Senate Bills Nos. 117, 341 and 5, introduced by Senators Holler, Early and Hawkins, and have compared the same with the engrossed bills, and find that said bills have been properly engrossed.

**WALTER L. BALL,**  
Chairman.

Which report was concurred in.

Senator Shiveley was called to the chair to preside at 3:30.

Lieutenant Governor Haggard resumed the chair at 3:37.

The following communication was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 495, and the same is herewith transmitted for the action of the Senate.

**B. H. PRATHER,**  
Principal Clerk.

**Engrossed House Bill No. 495, entitled :**

A bill for an act to amend sections 2, 5, 6, 9 and 11 of an act entitled "An act to provide for the appointment and compensation of a custodian of public buildings and property, and providing for the appointment and compensation of a State House Engineer, prescribing their duties and fixing their compensation, as well as the compensation of other persons that



may be employed by such officers, and all other matters connected therewith, and declaring an emergency" (reconsidered and passed over the Governor's veto March 5, 1889), and declaring an emergency.

Read first time and referred to the Committee on Public Buildings.

Senator Ellison at this time withdrew the substitute he offered this forenoon, for Senator Hogate's motion to recommit Senate Bill No. 61, with instructions.

The question being on the motion of Senator Hogate.

The ayes and noes were demanded by Senators Ellison and Shiveley.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Collett, Culbert, Duncan, Gill, Goar, Gochenour, Gostlin, Hogate, Holler, Houghton, Johnson of Madison, Johnston of Dearborn, LaFollette, Leich, McCord, Mull, Newby, O'Brien, O'Connor, Phares, Self, Shiveley, Sweeney, Watson, White, Wood. Total, 28.

Those voting in the negative were :

Senators Alexander, Bobilya, Bozeman, Campbell, Drummond, Early, Ellison, Gilbert, Goodwine, Hawkins, Horner, Hubbell, Hugg, Humphreys, Kerns, New, Nusbaum, Patten, Rinear, Schneck, Shea, Stroup. Total, 22.

So the motion prevailed.

Senator New, a committee of one to whom was referred Senate Bill No. 61, with instructions, made the following report:

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 61, introduced by Senator New, with instructions to amend the same, has complied with the instructions of the Senate and herewith submits the bill so amended for its further action.

NEW.

Which report was concurred in.

The question being on the passage of Senate Bill No. 61.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, Leich, Mull, McCord, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 48.

Those voting in the negative were :

Senators Johnston of Dearborn, and LaFollette. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hawkins made the following motion :

MR. PRESIDENT :

I move to reconsider the vote by which Senate Bill No. 894 was defeated.

HAWKINS.

Senator Self, Chairman of the Committee on Public Buildings and Library, made the following report:

MR. PRESIDENT :

Your Committee on Public Buildings and Library, to which was referred Engrossed House Bill No. 495, introduced by Mr. Jones, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SELF,  
Chairman.

Which report was concurred in.

Senator LaFollette introduced Senate Bill No. 436, entitled :

A bill for an act to amend sections 67 and 77 of an act entitled "An act concerning the incorporation and government of cities having more than thirty-five thousand (35,000) and less than forty-nine thousand (49,000) population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 3, 1893.

Read first time and referred to the Committee on Cities and Towns.

Senator Watson, by request, introduced Senate Bill No. 437, entitled :

A bill for an act to amend section four (4) of an act entitled "An act to authorize the Boards of Commissioners of the several counties in this State to purchase the toll roads in their respective counties and make them free," approved March 9, 1895, repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to the Committee on Public Roads.

Senator Humphreys introduced Senate Bill No. 438, entitled :

A bill for an act concerning the levy of taxes to pay bonds issued to raise means to construct free turnpike or gravel roads.

Read first time and referred to the Committee on County and Township Business.

Senator Gochenour introduced Senate Bill No. 439, entitled :

A bill for an act to authorize the Boards of Commissioners in this State to purchase toll roads in their respective counties, or to take possession of any toll road and provide compensation for the owners, and to make any toll road free.

Read first time and referred to the Committee on Roads.

Senator Hubbell introduced Senate Bill No. 440, entitled :

A bill for an act to disannex certain lands and territory from the city of Hammond, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

On motion of Senator Bobilya the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## FRIDAY MORNING.

FEBRUARY 19, 1897.

The Senate convened at 10 o'clock with Lieutenant-Governor Haggard in the chair.

Prayer was offered by Rev. Dr. Sharpee of the River Avenue Baptist Church.

The journal was ordered read.

After a portion of the same had been read the further reading was dispensed with on motion of Senator O'Brien.

Senator Early introduced Senate Bill No. 441, entitled :

A bill for an act prescribing the manner in which the evidence given in any civil or criminal cause may become a part of the record upon appeal to the Supreme or Appellate Court, repealing all laws in conflict, and declaring an emergency.

Senator Early moved that the constitutional rule requiring that bills be read on three several days be suspended; that the bill be read a second time by title and considered engrossed, read a third time by sections and put upon its passage.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 185 and 359, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 239 and 530, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 539, entitled:

A bill for an act to provide for the better government, central management, and general supervision of the State's Prisons at Michigan City and Jeffersonville, Indiana; providing for the appointment of Boards of Control for said prisons and other matters properly connected therewith; fixing the terms of office of the members of said Boards of Control, repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on Prisons.

Engrossed Bill No. 239, entitled:

A bill for an act to protect the people of Indiana by requiring all persons selling at retail or compounding for sale at retail any poison, or compound containing a poison, providing exceptions, to be duly licensed, providing for registration and re-registration and time for each, providing for necessary examination of applicants for license and time for holding same, fixing amount of fees and time of payment, providing for the establishment of a Board of Pharmacy and for its maintenance, regulation and duties; providing necessary penalties for violation of this act.

Read first time and referred to the Committee on Public Health.

The question being on the suspension of the constitutional rule on Senate Bill No. 441.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, LaFollette, Leich, McCord, New, O'Brien, O'Connor, Patten, Rinear, Schneck, Shea, Shiveley, Stroup, Watson, White. Total, 34.

Those voting in the negative were :

Senators Alexander, Gochenour, Goodwine, Wood. Total, 4.

So the constitutional rule was suspended. The bill was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 43.

None voting in the negative, so the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Hubbell offered Senate Resolution No. 42.

MR. PRESIDENT :

I offer the following resolution :

*Be it resolved by the Senate, That the Assistant Secretary is hereby authorized to draw a warrant to Miss Nellie M. Ross for services as stenographer to Committee Group No. 2 for the sum of \$35.*

HUBBELL.

Which resolution was adopted.

Senator Watson offered Senate Joint Resolution No. 6, being,

“ A joint resolution relative to the utilization of the water power at the falls of the Ohio.”

WHEREAS, The citizens of the State of Indiana and Kentucky are deeply interested in a practical plan for the utilization for manufacturing, lighting and motive purposes of the water power at the falls of the Ohio River. Therefore

*Resolved, That our Senators in Congress be and they are hereby instructed, and our Representatives requested to use their influence to procure the consent of the proper department of the Government whenever any practical plan is adopted and ready to be entered upon for the utilization of the water power at the falls of said river which will not interfere with the commerce of the river or in any manner obstruct or hinder the use of the canal around the falls.*

W. H. WATSON.

Which resolution was adopted.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No 243, introduced by Senator New, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 144, introduced by Mr. Brown, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 58, introduced by Senator Johnston of Dearborn, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 264, introduced by Mr. Ross, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that sections three (3) and five (5) be stricken out, that the sections be renumbered, and when so amended that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.



Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 189, introduced by Senator Watson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 287, introduced by Mr. Smith, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 247, introduced by Mr. Thomas, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the words "refuses or," in line 25 and 26 of section one (1) of the engrossed bill be stricken out, and when the same is so amended that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 413, introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate with a substitute, hereto attached, and recommend that said substitute do pass.

L. P. NEWBY,  
Chairman.

Substitute for Senate Bill No. 413:

A bill for an act concerning the paving of streets and alleys in cities and towns, and providing for the manner of the payment of the same, for the issuing and sale of bonds therefor, for the collection of the same in certain cases, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That where in any city or town in said State having therein a street railway operated by electricity or other power, operating such street railway, the company is required by its franchise to pave any portion of any street or alley in any city or town, then said city or town shall extend, by ordinance or resolution, to such street railway company, if it should be so requested by the street railway company, a period of time in which to pay for the said improvement or improvements.

SEC. 2. When the franchise of such company requires paving to be done by such company, then the Common Council of such city, or Board of Trustees of such town, shall, when such company shall so request, and shall execute and file with the Clerk of such city or town the stipulation or agreement waiving objections on account of illegality or irregularity of proceedings, as is now required by law in case of owners of abutting property, by proper resolution or ordinance enter into an agreement with said street railway company to issue bonds for a period of years not less than ten, or for any other number of years agreed to by such Common Council or Board of Trustees and such street railway company, and shall issue the same according to such agreement; such bonds to be in such denomination as may be agreed upon, and shall bear interest not to

exceed six per cent. per annum. The amount of said bonds shall be equal to the amount due for the improvement, and said bonds shall be divided into a series of equal parts corresponding to the number of years in which the bonds are to be payable. One equal series of such bonds shall become due and payable each year, with the interest on the whole of the amount of the bonds, which shall be payable semi-annually. The said bonds shall be issued and sold by said city or town in the same manner and be governed by the same laws as other street improvement bonds.

SEC. 3. That before the said bonds are to be issued and any street railway company is to receive the rights and benefits conferred by this act, then such street railway company shall call a meeting of its stockholders and have them accept the ordinance or resolution passed by the Common Council of such city or the Board of Trustees of such town, and after such action by the stockholders, the Directors of such company shall ratify the action of said stockholders, and certified copies of the minutes of the meetings are to be properly attested and filed with the Clerk of such city or town.

SEC. 4. That such improvement bonds shall have the same priority over other liens as have assessments for other street improvements, and are to be the first lien on all the property, assets and franchises of such street railway company.

SEC. 5. Should any street railway company fail to pay any such bonds, or interest thereon at maturity, then all of the said bonds shall become due and payable at the option of the holder or holders of the same, or of such Common Council, or such Board of Trustees, and the same may be foreclosed as any other street improvement bonds; in which action the plaintiff or plaintiffs may have a Receiver appointed for said company, to take charge of and sell all the property and assets of the defendant to satisfy such improvement bonds: *Provided, however,* That no action shall be brought against any street railway company under this act until there is a default which has been continued for six months after the payment of the principal or interest of such bonds is due.

SEC. 6. If any street railway has entered into any agreement prior to the passage of this act, by and under which bonds have been issued for any street improvement, and said city desires to

make further street improvements, for which said company would be liable, then such city may issue new bonds in lieu of any bonds that may have been heretofore issued, and the proceeds thereof shall be paid to the holders of the outstanding bonds, and such reissue of bonds shall retain the same priority as the original.

SEC. 7. Nothing in this act shall be construed to mean as extending the liability of any city or town on account of such improvements beyond the liability existing as to other street improvement bonds.

SEC. 8. Whereas an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 57, introduced by Senator Johnston of Dearborn, have had the same under consideration, and begs leave to report the same back to the Senate with the substitute hereto attached, and that said substitute do pass.

L. P. NEWBY,  
Chairman.

A bill for an act entitled "An act to authorize the institution of civil actions in Circuit, Superior and Justice Courts in this State on Sunday, and authorizing the issuing of process and the service thereof on said day against nonresident defendants in or about to come into this State on said day, or on persons removing or about to remove from this State on said day.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That whenever any party shall show by affidavit that any defendant to a civil action instituted in the Circuit, Superior, or Justice Courts of this State is a nonresident of the State of Indiana and is in or about to come into this State on Sunday, or is a resident of this State and is moving or about to move out of this State on Sunday, and that delay will endanger the service of summons, such party or parties plaintiff

may file a complaint on said day in the Clerk's office or before a Justice of the Peace in the county where said plaintiff or plaintiffs reside, and thereupon summons shall forthwith issue to the officer authorized by law to serve the same, and it shall be the duty of such officer thereupon to serve such writ on Sunday on any such defendant or defendants named therein.

All laws or parts of laws in conflict herewith are hereby repealed.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 59, will report the same back, with the following amendments:

*First.* In the bill, as now printed, after the word "year" in line 9 of section 1, insert the words "after August 1, 1899."

*Second.* To strike out all of section 5, beginning with the word "the" in line 20, up to and including the word "section" in line 26 in said section, and insert in lieu thereof the following:

"The manuscripts containing the answers to said questions shall be delivered by the applicant to the County Superintendent, who shall designate the same by number. The County Superintendent shall then record both the number of the manuscript and the name of the applicant in a record for that purpose, and send the fee named above and the grade of "school-room success," if known, and the manuscript of the applicant numbered, as above, to the office of the State Superintendent of Public Instruction, who shall make all necessary rules and regulations not otherwise provided by the State Board of Education for the successful execution of this section."

*Third.* Also, to insert after the word "and" in line 80 of section 5 the following:

"A copy indicated by number corresponding to the applicant's number on his manuscript."

*Fourth.* Also, to strike out all that part of section 9, beginning with the word "that" in line 1, up to and including the word "revenue" in line 4, and insert in lieu thereof the following:

"That the School Trustees of incorporated towns shall have power to employ a Superintendent of schools, whose term of office shall be two (2) years and may be four (4) years, and whose salary shall be paid from the special school revenue, and that the School Trustees (or Commissioners) of incorporated cities shall have power to employ a Superintendent of Schools, for a term not exceeding four (4) years, and whose salary shall be paid from the special school revenue."

*Fifth.* Strike out all of section 10, and insert in lieu thereof the following:

Sec. 10. The State Superintendent of Public Instruction, the President of the State Normal School, the Superintendent of the common schools of the largest three cities in the State, the President of the State University, the President of Purdue University, and four citizens of the State appointed by the Governor, two of whom shall be county school superintendents, shall constitute a board to be denominated the Indiana State Board of Education. The size of the cities shall, for this purpose, be determined by the enumeration of children for school purposes, annually reported by county superintendents to the Superintendent of Public Instruction. The Superintendent of Public Instruction shall, *ex-officio*, be President of the Board, and in his absence the members shall elect a President *pro tempore*. The Board shall elect one of its members Secretary and Treasurer, who shall have the custody of its records, papers and effects, and shall keep minutes of its proceedings: *Provided*, That such records, papers, effects and minutes shall be kept at the office of the Superintendent, and shall be open for his inspection. The said Board shall meet upon the call of the President, or a majority of its members, at such place in the State as may be designated in the call, and shall devise, adopt and procure a seal, on the face of which shall be the words "Indiana State Board of Education," and such other device or motto as the Board may direct, an impression and written description of which shall be recorded on the minutes of the Board and filed in the office of the Secretary of State, which seal shall be used

for the authentication of the acts of the Board and the important acts of the Superintendent of Public Instruction.

*Sixth.* SEC. 13. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after April 15, 1897.

And that when so amended that said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Engrossed House Bill No. 480 was ordered withdrawn from the Committee on Judiciary and referred to the Committee on County and Township Business.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 358, introduced by Senator Bozeman, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by inserting before the words "an application," in line 21, of the bill the following words: "When the improvement will drain the whole or a part of any public or corporate road or railroad, or will so benefit any such road that the traveled track or roadbed thereof will be improved by its construction, there shall be apportioned to the county, if the road is a State, county or free turnpike road, or to a town or city if a street, or to the corporation if a corporate road or railroad, a proper share of the costs and expenses thereof as provided herein." And that when said bill is so amended that the same do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Humphreys asked that Senator Bethell be excused on account of sickness, and the request was granted.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 224, introduced by Mr. Remington, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 195, introduced by Mr. McCart, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by making section 1 read as follows:

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That the several Township Trustees of the State of Indiana shall pay for publishing their reports as provided by Chapter LXXIII of the Acts of 1895, not to exceed the sum of fifty cents per square of two hundred and fifty (250) ems of space occupied by such advertisement, said advertisement to be set in nonpareil type without heads or display lines. If such Trustee can not procure such publication at said price in such county then it shall be sufficient for him to post the same at the door of the court house; and when so amended we recommend that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.



Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 410, introduced by Mr. Hawkins, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 275, introduced by Mr. Littleton, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

1. Insert on page 6, line 1, after the word "taxation," the words "the State on the relation of any State officer or of the State Board of Tax Commissioners or of"

2. Insert on page 7, line 14, after the word "suit," the words "and for a reasonable attorney's fee for the relator's attorney, which shall be taxed as a part of the costs of such suits in all cases."

3. Add on page 7 the following proviso at the end of section 1:

*"Provided, however, That in case proceedings are instituted hereunder on the relation of any private citizen, such relator shall give bond to the satisfaction of the Court, to pay all costs which may be recovered against them."*

As so amended, we recommend that the bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 388, introduced by Mr. Self, have had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 219, introduced by Mr. Sutton, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 480, introduced by Mr. Roots, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 153, introduced by Mr. Canada, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 362, introduced by Senator Duncan, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred House Bill No. 88, introduced by Mr. Wiener, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by adding at the end of section one (1) the following proviso :

*Provided*, That if any such person is a candidate for any town office, such person shall not be eligible as inspector, and in such case the Board of Trustees of the town shall appoint an inspector for the precinct in which such person may reside.

And when so amended that the bill do pass.

HUGHTON,  
Chairman.

Which report was concurred in.

The Committee on Cities and Towns made the following reports :

MR. PRESIDENT :

A majority of your Committee on Cities and Towns, to which was referred Senate Bill No. 421, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.  
JOHNSON,  
McCord,  
DUNCAN.

MR. PRESIDENT :

A minority of your Committee on Cities and Towns, to which was referred Senate Bill No. 421, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

STROUP,  
BOBILYA.

The question being, Shall the minority report be substituted for the majority report ?

The ayes and noes were demanded by Senator Bobilya, properly seconded.

Those voting in the affirmative were :

Senators Alexander, Bobilya, Campbell, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Pat-ten, Rinear, Shea, Stroup, Sweeney. Total, 15.

Those voting in the negative were :

Senators Ball, Bozeman, Collett, Culbert, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Hol-ler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 31.

So the minority report was not substituted, and the majority report was concurred in.

Senator Bethell, Chairman of the Committee on Labor, made the following report :

MR. PRESIDENT :

Your Committee on Labor, to which was referred House Bill No. 111, introduced by Mr. Roose, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

W. J. BETHELL,  
Chairman.

Which report was concurred in.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bill No. 227, introduced by Senator Hawkins, and has compared the same with the Engrossed Bill, and finds that said bill has been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Newby was called to the chair at 11:22 to preside, in the absence of the Lieutenant-Governor.

Senator Gilbert called up Senate Bill No. 169.

The question being, Shall the minority report be substituted for the majority report ?

The question being put to a vote, the minority report was substituted for the majority report.

The question then being, Shall the substituted report be concurred in ?

It was so ordered.

Senator Shiveley was called to the chair to preside at 11:37.

Senator Hogate called up Senate Bill No. 314. He moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 45.

So the constitutional rule was suspended and the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 45.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Lieutenant-Governor Haggard resumed the chair at 11:45.

Senator Newby called up Senate Bill No. 426, and moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bozeman, Collett, Culbert, Early, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Sweeney, Watson, White, Wood. Total, 38.

Senator Campbell voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Sweeney, Watson, White, Wood. Total, 39.

Senator Johnston of Dearborn voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Houghton offered Senate Resolution No. 43:

MR. PRESIDENT:

WHEREAS, Section 4982 of the Revised Statutes of 1881 provides that it shall be the duty of the Principal Secretary of the Senate to make a complete calendar of all bills and joint resolutions pending in the Senate, including those which have been acted upon during the session, to be filed with the State Librarian, and that said Secretary of the Senate shall make and publish in the Senate Journal a full and complete list and index thereto of all bills and joint resolutions which have been acted upon during the session; and the rules of the Senate have required said Secretary to furnish a calendar of all bills and joint resolutions pending in the Senate, and to have the same published and laid upon the desk of each Senator every Monday morning in addition to his regular duties as Secretary of the Senate; and

WHEREAS, Section 4983 of the Revised Statutes of 1881 makes it the duty of the Assistant Secretary of the Senate to superintend the printing of, read the proof and properly index all matter in the Journal, and file in the office of the Secretary of State such printed and written copies of such Journal; and said section provides that the Senate shall make proper allowance to said officer for the services enumerated; therefore be it

*Resolved*, That Charles R. Lane, Secretary of the Senate, be allowed the sum of four hundred and fifty dollars, and James W. Egnew, Assistant Secretary of the Senate, be allowed the sum of five hundred dollars for the performance of the services above respectively enumerated, and the President of the Senate is hereby authorized to draw his warrants in favor of the above named officers for said sums of money payable out of the funds appropriated for the payment of the expenses of this General Assembly.

HUGHTON.

Which resolution was adopted.

Senator Hugg introduced Senate Bill No. 442, entitled:

A bill for an act to amend section 9 of an act entitled "An act to provide for the incorporation of street railroad companies," approved June 4, 1861, the same being section 4151 of the Revised Statutes of 1881, and adding supplemental sections



thereto regulating the fare to be charged and collected by any street railroad company organized under the provisions of said act in any city having a population of 100,000 or more according to the census of 1890, and making it a misdemeanor to demand, charge, receive or collect from any passenger upon the same a cash fare of more than three cents, providing for the transfer of passengers from any one line to another and for the issuance of transfer tickets or passes, and authorizing such company to make reasonable regulations for the transfer of such passengers, and declaring an emergency.

Read first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator Shea introduced Senate Bill No. 448, entitled :

A bill for an act to license telegraph operators, regulate the practice of telegraphy, for violation thereof, and appointment of examiners.

Read first time and referred to Committee on Judiciary.

Senator Gill offered Senate Joint Resolution No. 7 :

A joint resolution of the General Assembly of the State of Indiana to amend section two (2) of article four (IV) of the Constitution of the State of Indiana, concerning the number of the members of the General Assembly, and the manner of their election.

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana*, That the following amendment to the Constitution of the State of Indiana be, and the same is now hereby, agreed to and referred to the next General Assembly of the State to be chosen at the next general election, and when favorably passed upon by said succeeding General Assembly, to be submitted to the electors as provided by law, such amendment to read as follows :

The Senate shall not exceed twenty-five nor the House of Representatives fifty members, and they shall be chosen by the electors of the respective counties or districts into which the State may from time to time be divided.

**Sec. 2.** *Be it further Resolved*, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as Amendment No. One (1) E.

Which resolution was read and referred to the Committee on Revision of the Constitution.

On motion of Senator Watson the Senate adjourned.

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## FRIDAY AFTERNOON.

FEBRUARY 19, 1897.

The Senate reconvened at 2 o'clock, with Lieutenant-Governor Haggard in the chair.

Senator Phares called up Senate Bill No. 21.

The question being, Shall the House amendments to the bill be concurred in?

There being no opposition, the amendments were concurred in.

Senator Hawkins moved that the regular order of business be suspended in order that the consideration of House Bill No. 441 might be taken up.

The result of the *viva voce* vote being in doubt, a division was ordered, by which the motion prevailed on a vote of 24 in the affirmative and 12 in the negative.

Senator Hawkins called up Engrossed House Bill No. 441, which was read a second time by title.

Senator Sweeney offered the following amendment:

MR. PRESIDENT:

I move to amend House Bill No. 441, by striking out all after the enacting clause and inserting the following: That the General Assembly shall consist of fifty Senators and one hundred Representatives.

SEC. 2. That the said Senators shall be apportioned among the several counties of the State and elected therein as follows, to wit:

Vanderburgh, one Senator.

Vanderburgh, Warrick and Spencer, one Senator.

Posey and Gibson, one Senator.

Knox and Pike, one Senator.

Daviess and Greene, one Senator.

Dubois, Martin and Orange, one Senator.

Perry, Crawford and Harrison, one Senator.

Floyd and Washington, one Senator.

Clark, Scott and Jennings, one Senator.

Jefferson, Switzerland and Ohio, one Senator.

Dearborn and Ripley, one Senator.

Franklin, Fayette and Union, one Senator.

Rush and Decatur, one Senator.

Hancock and Shelby, one Senator.

Jackson and Lawrence, one Senator.

Brown, Morgan and Monroe, one Senator.

Clay and Owen, one Senator.

Vigo, one Senator.

Vigo, Sullivan and Vermillion, one Senator.

Fountain and Parke, one Senator.

Putnam and Montgomery, one Senator.

Boone and Hamilton, one Senator.

Hendricks and Marion, one Senator.

Johnson and Bartholomew, one Senator.

Howard and Tipton, one Senator.

Madison, one Senator.

Delaware, one Senator.

Henry and Randolph, one Senator.

Wayne, one Senator.

Blackford and Jay, one Senator.

Adams and Wells, one Senator.

Huntington and Whitley, one Senator.

Grant, one Senator.

Miami and Wabash, one Senator.

Clinton and Carroll, one Senator.

Benton, Newton, Jasper and White, one Senator.

Tippecanoe and Warren, one Senator.

Cass and Pulaski, one Senator.

Lake and Porter, one Senator.

Laporte and Starke, one Senator.

Elkhart, one Senator.

Marshall and Fulton, one Senator.

Kosciusko and Noble, one Senator.

Allen, one Senator.

Allen and Dekalb, one Senator.

Lagrange and Steuben, one Senator.

St. Joseph, one Senator.

Marion, three Senators.

**SEC. 3.** The said Representatives shall be apportioned among the several counties of the State and elected therein as follows, to wit:

Marion, seven Representatives.

Vanderburgh, two Representatives.

Vigo, two Representatives.

Madison, two Representatives.

Allen, two Representatives.

Grant, two Representatives.

St. Joseph, two Representatives.

Posey, one Representative.

Gibson, one Representative.

Gibson and Vanderburgh, one Representative.

Warrick, one Representative.  
Spencer, one Representative.  
Knox, one Representative.  
Knox and Pike, one Representative.  
Davies, one Representative.  
Sullivan, one Representative.  
Greene, one Representative.  
Brown and Monroe, one Representative.  
Lawrence, one Representative.  
Martin and Orange, one Representative.  
Dubois and Perry, one Representative.  
Harrison, one Representative.  
Clark, one Representative.  
Crawford and Washington, one Representative.  
Scott and Jennings, one Representative.  
Floyd, one Representative.  
Jackson, one Representative.  
Bartholomew, one Representative.  
Decatur, one Representative.  
Ripley, one Representative.  
Jefferson, one Representative.  
Switzerland and Ohio, one Representative.  
Dearborn, one Representative.  
Franklin and Union, one Representative.  
Wayne, one Representative.  
Wayne and Fayette, one Representative.  
Henry, one Representative.  
Hancock, one Representative.  
Rush, one Representative.  
Shelby, one Representative.  
Johnson, one Representative.

Morgan, one Representative.  
Hendricks, one Representative.  
Putnam, one Representative.  
Clay, one Representative.  
Clay and Owen, one Representative.  
Vigo and Vermillion, one Representative.  
Parke, one Representative.  
Fountain, one Representative.  
Montgomery, one Representative.  
Carroll, one Representative.  
Clinton, one Representative.  
Boone, one Representative.  
Tipton, one Representative.  
Hamilton, one Representative.  
Delaware, one Representative.  
Delaware and Madison, one Representative.  
Randolph, one Representative.  
Jay, one Representative.  
Adams, one Representative.  
Wells, one Representative.  
Huntington, one Representative.  
Wabash, one Representative.  
Miami, one Representative.  
Howard, one Representative.  
Howard, Grant and Blackford, one Representative.  
Cass, one Representative.  
Cass and Pulaski, one Representative.  
White, one Representative.  
Benton and Warren, one Representative.  
Tippecanoe, one Representative.  
Tippecanoe and Montgomery, one Representative.

Jasper and Newton, one Representative.

Lake, one Representative.

Porter, one Representative.

Laporte, one Representative.

Laporte and Starke, one Representative.

Fulton and Miami, one Representative.

Elkhart, one Representative.

Kosciusko, one Representative.

Elkhart and Kosciusko, one Representative.

Marshall, one Representative.

Whitely and Wabash, one Representative.

Allen and Huntington, one Representative.

Dekalb, one Representative.

Noble, one Representative.

Steuben, one Representative.

Lagrange and Noble, one Representative.

SEC. 4. All laws and parts of laws in conflict with the provisions of this act shall be, and are hereby, repealed.

The question being on the adoption of the amendment of Senator Sweeney.

The ayes and noes were demanded by Senators Shea and Bobilya.

The roll call was ordered.

Those voting in the affirmative were:

Senators Alexander, Bobilya, Campbell, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Shea, Stroup, Sweeney. Total, 15.

Those voting in the negative were:

Senators Ball, Bozeman, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kern, LaFollette,

Leich, Mull, New, Newby, O'Brien, Phares, Self, Shiveley, Watson, Wood. Total, 28.

So the amendment was not adopted, and the bill was ordered engrossed.

Senator Goar called up Senate Bill No. 95.

The bill was read a third time by sections.

Senator Drummond made the following motion :

MR. PRESIDENT :

I move that Substitute Senate Bill No. 95 be referred to its author with specific instructions to amend by striking out the words "religious or secret," in line 30, section 1.

DRUMMOND.

Which motion prevailed.

Senator LaFollette, the committee of one to whom was referred Substitute Senate Bill No. 95, made the following report :

MR. PRESIDENT :

Your committee of one to which was referred Substitute Senate Bill No. 95, with specific instructions to amend, begs leave to report that he has complied with instructions, and returns the bill to the Senate for further action.

LAFOLLETTE.

Which report was concurred in.

Senator Stroup asked that leave of absence be granted to Senator Sweeney, which leave was granted.

Senator Ellison moved that Senate Bill No. 95 be made a special order for 10:30 o'clock to morrow.

Which motion was lost.

The question being, Shall Senate Bill No. 95 pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwin, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull,



New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 46.

Senator Ellison voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 433, introduced by Mr. Graham, has had the same under consideration and begs leave to report the same back to the Senate with a substitute for said bill and recommend that said substitute bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The following substitute for House Bill No. 433, a bill for an act to legalize certain bonds issued by the City of Jeffersonville, Indiana, and to permit the said bonds to be refunded, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That the bonds or instruments purporting to be bonds, to the amount of eighty-seven thousand dollars (\$87,000), which were issued under an ordinance of the Common Council of the city of Jeffersonville, Indiana, approved August 8, 1876, and which were dated August 9, 1876, and became due and payable twenty years after their date, are hereby ratified and confirmed, and declared to be legal and valid obligations of the city, and the said ordinance of the Common Council and all acts done in respect of the issue of such bonds are hereby ratified, confirmed and made legal.

SEC. 2. The Common Council of the said city may refund the said bonds by issuing in exchange therefor other bonds of equal amount, and may fix the time and place of payment, and the rate of interest of the same.

When such refunding bonds shall have been issued, no action or proceeding shall be instituted, nor any defense to any action interposed by the said city or any person or persons, the object of which shall be to impair the validity or security of the said bonds.

**Sec. 3.** In the event refunding bonds are issued and exchanged for said \$87,000 of bonds, or any part thereof, no notice or advertisement thereof shall be required, unless provided for in the ordinance approved by the Common Council authorizing the refunding of the same.

**Sec. 4.** An emergency exists for the immediate taking effect of this act, and therefore the same shall be in force from and after its passage.

Senator Watson moved that the constitutional rule requiring that bills be read on three several days be suspended, that Engrossed House Bill No. 433 be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Ellison, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 43.

Senator Schneck voting in the negative.

So the constitutional rule was suspended, the bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goch-

enour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Shiveley, Stroup, Watson, Wood. Total, 48.

Senator Schneck voting in the negative.

And so the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 117, 176, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 206, 596 and 186, and the same are herewith transmitted for the action the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 206, entitled :

A bill for an act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of Inspectors to enforce the same.

Read first time and referred to the Committee on Labor and Labor Statistics.

Engrossed House Bill No. 186, entitled :

A bill for an act to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations made with a view to lessen, or which tend to lessen, free competition in the importation or sale of articles imported into this State, or

in the manufacture or sale of articles of domestic growth or of domestic raw materials; to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations between persons or corporations designed or which tend to advance, reduce or control the price of such product or article to producer or consumer of any such product or article; to provide for forfeiture of the charter and franchise of any corporation organized under the laws of this State violating any of the provisions of this act from doing business in this State; to require the Attorney-General of this State to institute legal proceedings against any such corporations violating the provisions of this act, and to enforce the penalties prescribed; to prescribe penalties for any violation of this act; to authorize any person or corporation damaged by any such trust, agreement or combination to sue for the recovery of such damage, and for other purposes.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 596, entitled:

A bill for an act to amend section 23 of an act entitled "An act to incorporate the Terre Haute & Richmond Railroad Company," approved January 26, 1847, and declaring an emergency.

Read first time and referred to Committee on Railroads.

Senator Gochenour called up Senate Bill No. 291.

The bill was read a third time by sections.

Senator Shiveley was called to the chair to preside at 3 o'clock.

Senator Drummond made the following motion:

MR. PRESIDENT:

I move to refer Senate Bill No. 291 back to its author with instructions to amend same by striking out of the first section the words "the Board of Trustees" in line 2 and inserting after the word "college" in said line, "normal school."

DRUMMOND.

Which motion prevailed.

Senator Gilbert made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 291 be recommitted to a committee of one, its author, with instructions to amend by striking out the words "of the" in line six, section one, and insert in lieu thereof the word "such," and strike out the words "course of study" in line 7, section 1, and insert in lieu thereof the words "course in pedagogy."

GILBERT.

Which motion prevailed.

Senator Horner made the following motion :

MR. PRESIDENT :

I move that Substitute Senate Bill No. 291 be referred to its author for amendment by adding to section one after the word "State" in line 13 the following :

"A graduate of any reputable college or university of the State may also be licensed to teach school on the same conditions."

HORNER.

Which motion prevailed.

Senator Early made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 291 be recommitted to its author, with instructions to insert the following words in line 5, after the word school: "And whose students shall pledge themselves to teach in the common schools of the State for a period twice as long as they attend said school, so far as the same may be practical."

EARLY.

There being a doubt as to the *viva voce* vote, a division was ordered, by which the motion was lost by a vote of 16 in the affirmative and 22 in the negative.

Senator Duncan moved to recommit Senate Bill No. 291 back to the author, with instructions to amend.

Which motion was lost.

Lieutenant-Governor Haggard resumed the chair at 8:30.

Senator Gill made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 291 be referred to its author, with instructions to strike out the words "the Trustees," in line 11, section 1, and insert in lieu thereof the words "such college, normal school or university."

GILL.

Which motion prevailed.

Senator Hogate, a committee of one, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 291, with specific instructions to amend, begs leave to report the same as amended according to instructions.

HOGATE.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Campbell, Collet, Culbert, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hogate, Holler, Johnson of Madison, Kerns, Newby, Phares, Kinear, Schneck, Self, Watson. Total, 18.

Those voting in the negative were :

Senators Alexander, Bobilya, Bozeman, Drummond, Duncan, Early, Hawkins, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Connor, Patten, Shea, Shiveley, Stroup, White, Wood. Total, 26.

And so the bill failed to pass.

Senator Goodwine called up Senate Bill No. 368.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, Wood. Total, 36.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator McCord moved to amend the title by striking out the word "nine" and inserting in lieu thereof the word "eight."

Which motion prevailed.

The title of the bill, as amended, was ordered to stand as the title to the act.

Senator Gostlin called up Senate Bill No. 309.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bobilya, Bozeman, Drummond, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Schneck, Self, Shea, Shiveley, Stroup, Watson, Wood. Total, 36.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator McCord called up House Bill No. 596.

Senator McCord moved that the constitutional rule requiring that bills shall be read on three several days be suspended, the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Drummond, Duncan, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Schneck, Self, Shea, Shiveley, Watson, Wood. Total, 35.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, McCord, New, Newby, O'Brien, O'Connor, Phares, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 35.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.



Senator Ball requested that Senator Schneck be granted a leave of absence until Monday at 10 o'clock A. M.

Which request was granted.

Senator Hogate called up Senate Bill No. 345.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Patten, Phares, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 88.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hawkins called up Senate Bill No. 334.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred House Bill No. 239, the same being a bill for an act to protect the people of Indiana by requiring all persons selling at retail, or compounding for sale at retail any poison or compound containing a poison, providing exceptions, to be duly licensed, providing for registration and re-registration, and time for each; providing for necessary examination of applicant for license, and time for holding same, fixing amount of fees and time of

payment; providing for the establishment of a Board of Pharmacy, and for its maintenance, regulation and duties; providing necessary penalties for the violation of this act, introduced by Mr. Littleton, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

CHARLES S. GOAR,  
Chairman.

Which report was concurred in.

Senator Hawkins made the following motion:

MR. PRESIDENT:

I move to reconsider the vote by which House Bill No. 510 was passed, and that the said bill be not enrolled.

HAWKINS.

Senator Houghton moved to reconsider the vote on House Bill No. 36.

Senator New, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

Your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 442, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred Senate Resolution No. 41, introduced by Senator Collett, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that there be allowed

Senator Duncan.....	\$117 00
Senator Holler.....	84 75
Senator Ellison .....	88 00

For expenses incurred by them respectively as a committee of three (3) hold-over Senators to investigate the questions involved in prison labor, and report the same at this session; and they have reported the same back to this Senate and General Assembly in the forms of Senate Bill No. 117, Senate Bill No. 119 and Senate Bill No. 120. The said amounts recommended to be allowed to them respectively is solely for expenses incurred by them, paid out of their own means, and we therefore recommend that the Secretary of the Senate be instructed to draw his warrant for said amounts, payable to said Senators respectively.

Respectfully submitted,  
MARTIN M. HUGG,  
Chairman.

Which report was concurred in.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred House Bill No. 230, introduced by Mr. Marsh, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGG,  
Chairman.

Which report was concurred in.

Senator Newby made the following motion:

MR. PRESIDENT:

I move to reconsider the vote on the passage of House Bill No. 120.

L. P. NEWBY.

Which motion prevailed.

Senator Watson moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGWEW,  
Assistant Secretary of the Senate.

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## SATURDAY MORNING.

FEBRUARY 20, 1897.

The Senate convened at 10 o'clock, with Lieutenant-Governor Haggard in the chair.

Prayer was offered by Rev. Dr. Lucas, of the Sixth Christian Church, of Indianapolis.

After a portion of the Journal had been read, the further reading of the same was dispensed with on motion of Senator Alexander.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 178 and 176, introduced by Senators Ellison and Duncan, and has compared the same with the engrossed bills, and finds that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Newby introduced Senate Bill No. 444, entitled :

A bill for an act to provide for the better government, management, control and general supervision of the Central Hospital for the Insane, for the Northern Hospital for the Insane, for the Southern Hospital for the Insane, for the Eastern Hospital for the Insane, the Indiana Institution for the Education of the Blind, the Institution for the Education of the Deaf and Dumb, and for the Home of the Feeble Minded, at Fort Wayne, providing for the appointment of the members of a Board of Trustees for each of said institutions, fixing the term of their service, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Alexander asked that Senator Bobilya be granted a leave of absence, which request was granted.

Senator Leich introduced Senate Bill No. 445, entitled :

A bill for an act providing for the assessment and collection of certain taxes for the completion of the State Soldiers' and Sailors' Monument, providing for the disbursing of the moneys derived from such tax levy, and the reverting into the general fund of the State treasury of any unused or unexpended amount, and declaring an emergency.

Read first time and referred to the Committee on Finance.

Senator Holler, by request, introduced Senate Bill No. 446, entitled :

A bill for an act providing for the repair and extension of certain wagon bridges, and providing for the payment of the expense of such extension and repairs.

Read first time and referred to the Committee on County and Township Business.

Senator Gilbert made the following motion :

MR. PRESIDENT :

I move that the Committee on Railroads be required to report upon Bills No. 179 and 180, which have been in its hands for several weeks.

Which motion was withdrawn.

Senator LaFollette introduced Senate Bill 447, entitled:

A bill for an act to regulate the practice, in certain cases, where attorneys' fees may be included as a part of the judgment, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Self, Chairman of the Committee on Public Buildings and Library, made the following report:

MR. PRESIDENT:

Your Committee on Public Buildings and Library, to which was referred Senate Bill No. 419, introduced by Senator Duncan, by request, has had the same under consideration, and begs leave to report the same back with the following substitute therefore, to wit:

Substitute Senate Bill No. 419:

A bill for an act authorizing the Governor, the Auditor of State, and the Secretary of State, to enter into a contract for the placing of an electric light plant in the basement of the State House, and for the operation of the same, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Governor, the Auditor of State, and the Secretary of State, are hereby authorized on behalf of the State, to enter into a contract for the placing of an electric light plant in the basement of the State House, and to provide for the operation of the same.

SEC. 2. Whereas an emergency exists for the immediate taking effect of this act, the same shall therefore be in force from and after its passage.

SELF,  
Chairman.

Which report was concurred in.

Senator Self, Chairman of the Committee on Public Buildings and Library, made the following report:

MR. PRESIDENT:

Your Committee on Public Buildings and Library, to which was referred Senate Bill No. 878, introduced by Senator John-

son, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

SELF,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 352, the same being a bill for an act to abolish the State Live Stock Sanitary Commission and to provide for the appointment of a veterinary surgeon of the Indiana State Board of Agriculture, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

WM F. KERNS,  
Chairman.

Which report was concurred in.

The Committee on Agriculture made the following report:

MR. PRESIDENT:

A majority of your Committee on Agriculture, to which was referred Senate Bill No. 270, the same being a bill for an act to abolish the State Live Stock Sanitary Commission and to provide for the appointment of a veterinary surgeon, etc., introduced by Senator White, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that section four of said bill be amended by striking out the words "five hundred dollars" and all that part pertaining thereto, and that when said bill is so amended that the bill do pass.

WM. F. KERNS, Chairman.  
W. B. GILL,  
L. SCHNECK.

**MR. PRESIDENT :**

A minority of your Committee on Agriculture, to which was referred Senate Bill No. 270, the same being a bill for an act to abolish the State Live Stock Sanitary Commission and to provide for the appointment of a veterinary surgeon, etc., introduced by Senator White, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

HOLLER,  
COLLETT,  
PATTEN.

The question being, Shall the minority report be substituted for the majority report?

On a division of 8 in the affirmative to 19 in the negative, the substitution failed to be made, and the majority report was concurred in.

Senator Gill asked that Senator Campbell be excused. Which request was granted.

The Senate gave its consent that Senator Hugg should make certain corrections in the report on the resolution to pay Senator Ellison and others certain money for services rendered as the Prison Commission.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

**MR. PRESIDENT :**

Your Committee on County and Township Business, to which was referred House Bill No. 387, introduced by Mr. Gibson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.



Senator Houghton, a committee of one, to which was referred Senate Bill No. 10, on the 28th of January, with specific instructions, made the following report :

**MR. PRESIDENT :**

Your special committee of one, to which was referred Senate Bill No. 10 for amendment, reports said bill back to the Senate amended as directed.

**HOUGHTON.**

Which report was concurred in.

Senate Bill No. 334, which was pending yesterday at adjournment, was called up by Senator Hawkins.

The question being, Shall the bill pass?

Senator Ball made the following motion :

**MR. PRESIDENT :**

I move that Senate Bill No. 334 be recommitted to its author, with specific instructions to strike out all the words after "thereof," in lines 9 and 10, in section 5.

**BALL**

The motion was lost.

The roll was called on the passage of the bill.

Those voting in the affirmative were :

Senators Alexander, Ball, Bozeman, Culbert, Duncan, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shiveley, Stroup, Watson, White, Wood. Total, 35.

Those voting in the negative were :

Senators Campbell, Drummond, Gill, Johnston of Dearborn, Patten. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Watson asked that he be allowed to strike out the word "substitute" in the title of Senate Bill No. 433 and insert in lieu thereof the word "amended."

The request was granted.

Lieutenant-Governor Haggard announced that he had signed Senate Enrolled Acts Nos. 176 and 178.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 496, also adopted House Concurrent Resolution No. 18, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 496:

A bill for an act providing for the distribution and reinvestment of funds belonging to the Indiana State University, and repealing all laws in conflict therewith.

Read first time and referred to the Committee on Education.

House Concurrent Resolution No. 18:

WHEREAS, The citizens of the States of Indiana and Kentucky are deeply interested in a practical plan for the utilization for manufacturing, lighting and motive purposes of the water-power at the falls of the Ohio River; therefore,

*Resolved, by the House of Representatives, the Senate concurring,* That our Senators in Congress be, and they are hereby instructed and our Representatives requested to use their influence to procure the consent of the proper department of the Government whenever any practical plan is adopted and ready to be entered upon for the utilization of the water-power at the falls of said river, which will not interfere with the commerce of the river, or in any manner obstruct or hinder the use of the canal around the falls.

Which resolution was read.

Senate Holler called up Senate Bill No. 26.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Campbell, Culbert, Drummond, Duncan, Ellison, Gilbert, Gill, Goss, Gochenour, Goodwine, Holler, Humphreys, Johnston of Dearborn, Kerns, Leich, Nussbaum, O'Connor, Patten, Rinear, Self, Shiveley, Stroup, White, Wood. Total, 26.

Those voting in the negative were:

Senators Bozeman, Hawkins, Horner, Hugg, LaFollette, Mull, New, O'Brien, Phares, Watson. Total, 10.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hawkins called up the motion which he made yesterday to reconsider the vote on House Bill No. 510, and the motion prevailed.

Senator Watson moved that when the Senate finally adjourns to-day, it be until Monday at 2 o'clock, in honor of the birthday of George Washington.

Which motion was lost on a division of the Senate by which 17 voted in the affirmative and 18 in the negative.

Senator Gill was excused on the request of Senator Horner. Senator Hogate was excused on the request of Senator Hawkins and Senator Rinear was excused on request of Senator Humphreys.

Senator Horner called up Senate Bill No. 263.

The bill was read a third time by sections.

Senator Houghton made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 263 to its author with specific instructions to amend by inserting the word "street" after the word "every" and before the word "car," in section one of said bill.

HUGHTON.

The motion prevailed.

Senator Horner, the committee of one, to whom Senate Bill No. 263 was referred with specific instructions, made the following report :

MR. PRESIDENT :

Your committee of one on Senate Bill No. 263, reports that it has made necessary corrections as per instructions of motion of Senator Houghton.

HORNER.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bozeman, Campbell, Culbert, Drummond, Duncan, Ellison, Gilbert, Gochenour, Goodwine, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Self, Shiveley, Stroup, Watson, White, Wood. Total, 36.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Horner made the following motion :

MR. PRESIDENT :

I move to amend the title of Senate Bill No. 263 by adding to the title the following words: "prescribing misdemeanors and fixing penalties therefor."

HORNER.

Which motion prevailed, and the title was amended accordingly.

And the title as amended was ordered to stand as the title of the act.

Senator Houghton called up Senate Bill No. 329.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bozeman, Campbell, Culbert, Drummond, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, La-Follette, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Self, Shiveley, Watson, White, Wood. Total, 33.

Senator Patton voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Hugg made the following motion:

MR. PRESIDENT:

I move to amend the title of Senate Bill 329 by making the same read:

An act to amend section 8 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, the same being section 284 of the Revised Statutes of 1881.

HUGG.

The motion prevailed and the title of the bill as amended ordered to stand as the title of the act.

Senator Early moved that the action by which the title of the bill was ordered to stand as the title of the act on Senate Bill No. 441 be reconsidered.

The motion prevailed.

Senator Early moved that the vote by which Senate Bill No. 441 was passed be reconsidered.

The motion prevailed.

Senator Early made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 441 to the author with instructions to insert after the word "evidence," in line two of section one, the following :

And all ruling of the court in respect to the admission and rejection of evidence and the competency of witnesses and the objections and exceptions thereto.

Also, after the word "cause," in line six of section one, the following :

And all such rulings, objections and exceptions.

J. D. EARLY.

Which motion prevailed.

Senator Early, a committee of one, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 441, introduced by Senator Early, has complied with instructions therewith, and submits the bill so amended for the further action of the Senate.

J. D. EARLY.

Which report was concurred in.

The question then being, Shall Senate Bill No. 441 pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gochenour, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, LaFollette, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Self, Shiveley, Stroup, Watson, White, Wood. Total, 84.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hubbell called up Senate Bill No. 328.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bozeman, Campbell, Collett, Drummond, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Self, Shiveley, Stroup, Watson, White, Wood. Total, 36.

None voting in the negative.

And so the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hugg moved that the regular order of business be suspended, and that the Senate proceed to the consideration of Senate bills on second reading.

The motion was lost.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 354, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the bill presented herewith be substituted for Senate Bill No. 354, and that when so substituted the same do pass.

WILL R. WOOD,  
Chairman.

Which report was concurred in.

Substitute Senate Bill No. 354 :

A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor, and prescribing penalties therefor, and repealing all conflicting laws, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the salary of the Governor of the State of Indiana shall be five thousand dollars per year. The salary of the Lieutenant-Governor, in addition to his pay as President of the Senate, shall be one thousand dollars per year.

SEC. 2. The salary of the Secretary of the State shall be sixty-five hundred dollars per year. The salary of the Deputy Secretary of State shall be eighteen hundred dollars per year. The salary of the Clerk of the Secretary of State shall be one thousand dollars per year. The salary of the Clerk of the Bureau of Printing and Stationery shall be twelve hundred dollars per year.

SEC. 3. The Secretary of State, provided that no fees shall be charged against the United States, or this, or any other State, or any county of this State, nor against any officer of either of them, for any attestation, certificate or paper required by them for official use, shall be authorized to charge and collect on behalf of the State of Indiana, the following fees, to be paid by the parties requiring the service: For each commission to Notaries Public, one dollar; for each commission to Commissioner of Deeds, and filing qualifications, five dollars; for each attestation and seal other than herein exempted, fifty cents; for filing and recording each article, charter, certificate of incorporation, not exceeding two hundred words, one dollar; for all recording and copying of records, papers and documents not otherwise provided for, per hundred words (four figures counting as one word), ten cents; the fees and amounts so taxed and collected shall not belong to or be the property of the Secretary of State, but shall belong to and be the property of



the State: *Provided*, That the fees provided for in this act shall be in addition to the fees provided for by an act entitled an act requiring the Secretary of State to charge and collect for the benefit of the State certain fees from associations and incorporations desiring certain benefits under the laws of the State of Indiana, and requiring the associations and corporations desiring such benefits, to pay such fees and declaring an emergency, approved March 4, 1891, and printed on pages 84, 85 and 86 of the printed acts of 1891. And this act shall in nowise conflict with or in any manner operate to repeal said act or any provisions thereof.

**SEC. 4.** The salary of the Auditor of State shall be seven thousand five hundred dollars per year.

The salary of the Deputy Auditor of State shall be twenty-five hundred dollars per year.

The salary of the Clerk of the Insurance Department shall be eighteen hundred dollars per year.

The salary of the Land Department Clerk of the Auditor of State shall be eighteen hundred dollars per year.

**SEC. 5.** The salary of the Treasurer of State shall be six thousand five hundred dollars per year.

The salary of the Deputy Treasurer of State shall be two thousand dollars per year.

**SEC. 6.** The salary of the Attorney-General shall be seven thousand five hundred dollars per year.

The salary of the First Deputy Attorney-General shall be eighteen hundred dollars per year.

The salary of the Second Deputy Attorney General shall be twenty-four hundred dollars per year, and actual traveling expenses while he is traveling in business of the office.

**SEC. 7.** The salary of the State Librarian shall be fifteen hundred dollars per year.

The salary of the First Assistant Librarian shall be nine hundred dollars per year.

**SEC. 8.** The salary of the Clerk of the Supreme and Appellate Courts shall be five thousand dollars per year.

The salary of the Chief Deputy of Clerk of the Supreme Court shall be fifteen hundred dollars per year.

The salary of the First Assistant Deputy of the Clerk of the Supreme Court shall be twelve hundred dollars per year.

The salary of the stenographer and typewriter of the Clerk of the Supreme Court shall be six hundred dollars per year, and the salary of the Record Clerk of the Supreme Court shall be six hundred dollars per year.

SEC. 9. The salary of the Superintendent of Public Instruction shall be twenty-five hundred dollars per year.

SEC. 10. The salary of the Director of the Department of Geology and Natural Resources, of State Geologist, shall be twenty-five hundred dollars per year.

The salary of the Inspector of Mines shall be fifteen hundred dollars per year.

The salary of the Assistant Inspector of Mines shall be one thousand dollars per year.

SEC. 11. The salary of the Chief of Bureau of Statistics shall be two thousand dollars per year.

SEC. 12. The salary of the Secretary of the State Board of Health shall be twelve hundred dollars per year.

SEC. 13. The salary of the Judges of the Supreme Court shall be four thousand five hundred dollars per year.

The salary of the Law Librarian of the Supreme Court shall be fifteen hundred dollars per year.

SEC. 14. The salary of the Reporter of the Supreme Court shall be four thousand dollars per year.

The salary of the Assistant Reporter of the Supreme Court shall be fifteen hundred dollars per year.

SEC. 15. The salary of each of the Judges of the Appellate Court shall be three thousand seven hundred and fifty dollars per year.

SEC. 16. The salary of each of the Judges of the Criminal Courts of the State shall be twenty-five hundred dollars per annum, except as otherwise provided by law.

SEC. 17. The salary of each of the Prosecuting Attorneys of the State shall be five hundred dollars per year, and also the fees now allowed by law.

**SEC. 18.** It shall be the duty of the Secretary of State and Auditor of State to tax, for the use of the State of Indiana, the fees, charges and taxes now allowed by law, or which may hereafter be allowed by law, for services in their respective offices, and said fees, charges and taxes shall be paid at the time such services are rendered, and such officers shall keep in a book to be kept for that purpose an accurate account, showing all costs, fees, taxes and charges taxed and collected, including the charges and taxes provided by sections 3767 and 3773 of the Revised Statutes of 1881, from foreign insurance companies, which account shall show the person or corporation from whom collected and the date when collected; said fees, taxes and charges to be as now or as may hereafter be fixed by law. On the first Monday of January and July of each year said officers shall make a sworn report to the Treasurer of State, showing the amount of such collections, the date and from whom collected, and the whole amount thereof shall be paid by such officers into the State Treasury. And the Auditor of State is required to collect the charges and taxes provided as aforesaid by sections 3767 and 3773 of the Revised Statutes of 1881, from foreign insurance companies, and pay the whole amount thereof due the State into the State Treasury.

**SEC. 19.** It shall be the duty of the Clerk of the Supreme Court to tax and keep an accurate account on proper fee books of all fees and charges of his office, as is required by this act or any other laws of the State, for any and all services performed by him or his deputies, clerks or assistants, and on the first Monday in January and the first Monday in July of each year he shall make and file in the office of the Treasurer of State a statement and report, subscribed and sworn to, showing the amount of such fees and charges collected and uncollected, and the names of parties liable therefor, and from whom received, and the balance due, and the whole amount of fees and charges collected by him shall be paid into the State Treasury.

**SEC. 20.** The Attorney-General shall keep, in a substantial record book prepared for that purpose, an itemized account of the net amounts collected by him, showing when and from whom received. He shall pay over such sum or sums to the proper officer, and at the end of each fiscal year make out and file with the Governor of the State a complete report of such collections and recoveries.

**SEC. 20½.** In all cases where a specific salary or compensation is named in any of the preceding sections of this act for a deputy, assistant, typewriter, clerk or other subordinate or employe, the same shall be paid directly to and be receipted for by such deputy, assistant, typewriter, clerk or other subordinate or employe, and who shall make and file an affidavit that he has actually performed the service for which said salary is attached, and that no part thereof has been, or is to be, directly or indirectly, divided with or paid to any other person on account of or by reason of such employment.

**SEC. 21.** The county officers in this act named shall be entitled to receive for their services annually the compensation specified in this act, which compensation is graded in proportion to the population and the necessary services required in each of the several groups of counties in the State of Indiana, subject to the conditions herein prescribed, and they shall receive no other compensation whatever, except as in this act specifically provided.

**SEC. 22.** The several counties in the State shall be grouped together into twelve classes, as follows: First class, second class, third class, fourth class, fifth class, sixth class, seventh class, eighth class, ninth class, tenth class, eleventh class and twelfth class.

Counties having a population of less than ten thousand shall be counties of the first class.

Counties having a population of ten thousand or more, and less than fifteen thousand, shall be counties of the second class.

Counties having a population of fifteen thousand or more, and less than twenty thousand, shall be counties of the third class.

Counties having a population of twenty thousand or more, and less than twenty-five thousand, shall be counties of the fourth class.

Counties having a population of twenty-five thousand or more, and less than thirty thousand, shall be counties of the fifth class.

Counties having a population of thirty thousand or more, and less than thirty-five thousand, shall be counties of the sixth class.

Counties having a population of thirty-five thousand or more, and less than forty-five thousand, shall be counties of the seventh class.

Counties having a population of forty-five thousand or more, and less than fifty-five thousand, shall be counties of the eighth class.

Counties having a population of fifty-five thousand or more, and less than sixty-five thousand, shall be counties of the ninth class.

Counties having a population of sixty-five thousand or more, and less than seventy-five thousand, shall be counties of the tenth class.

Counties having a population of seventy-five thousand or more, and less than one hundred and fifty thousand, shall be counties of the eleventh class.

Counties having a population of one hundred and fifty thousand or more, and less than three hundred thousand, shall be counties of the twelfth class.

**SEC. 23.** In counties of the first class, the Clerk of the Circuit Court shall receive eight hundred dollars a year salary, and, in addition thereto, fifty per cent. of all the fees earned by him in said office when collected.

The Auditor shall receive four hundred dollars a year salary, and, in addition thereto, one hundred and twenty-five dollars for each one thousand inhabitants of said county.

The Recorder shall receive six hundred and fifty dollars a year salary, and, in addition thereto, fifty per cent. of all fees earned by him in said office when collected.

The Treasurer shall receive eight hundred dollars a year salary, and, in addition thereto, six per centum on all delinquent taxes collected by him, and one per centum on the first one hundred thousand dollars of current collections, and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive eight hundred dollars a year salary, and, in addition thereto, fifty per centum of all fees earned by him in said office when collected.

**Sec. 24.** In counties of the second-class the Clerk of the Circuit Court shall receive one thousand dollars a year salary, and in addition thereto, fifty per cent. of all fees by him earned in said office when collected.

The Auditor shall receive five hundred dollars a year salary, and in addition thereto, one hundred and fifteen dollars for each one thousand inhabitants of said county.

The Recorder shall receive seven hundred and fifty dollars a year salary, and in addition thereto, fifty per cent. of all fees by him earned in said office when collected.

The Treasurer shall receive nine hundred dollars a year salary, and in addition thereto, six per centum on all delinquent taxes by him collected, and one per centum on the first one hundred thousand dollars of current collections and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive one thousand dollars a year salary, and in addition thereto fifty per centum of all fees by him earned when collected.

**Sec. 25.** In counties of the third class the Clerk of the Circuit Court shall receive twelve hundred dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

The Auditor shall receive six hundred dollars a year salary, and in addition thereto one hundred and five dollars for each one thousand inhabitants of said county.

The Recorder shall receive eight hundred and fifty dollars a year salary, and fifty per cent. of all fees by him earned in said office when collected.

The Treasurer shall receive one thousand dollars a year salary, and in addition thereto six per centum on all delinquent taxes by him collected, and one per centum on the first one hundred thousand dollars of current collections, and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive twelve hundred dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned when collected.

**SEC. 26.** In counties of the fourth class the Clerk of the Circuit Court shall receive fourteen hundred dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

The Auditor shall receive seven hundred dollars a year salary, and in addition thereto one hundred dollars for each one thousand inhabitants of said county.

The Recorder shall receive nine hundred and fifty dollars a year salary, and fifty per cent. of all fees by him earned in said office when collected.

The Treasurer shall receive eleven hundred dollars a year salary, and in addition thereto six per centum on all delinquent taxes by him collected, and one per centum on the first one hundred thousand dollars of current collections, and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive fourteen hundred dollars a year salary, and fifty per cent. of all fees by him earned in said office when collected.

**SEC. 27.** In counties of the fifth class the Clerk of the Circuit Court shall receive fifteen hundred dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

The Auditor shall receive eight hundred dollars a year salary, and in addition thereto ninety dollars for each one thousand inhabitants of said county.

The Recorder shall receive one thousand dollars a year salary, and fifty per cent. of all fees by him earned in said office when collected.

The Treasurer shall receive twelve hundred dollars a year salary, and in addition thereto six per centum on all delinquent taxes by him collected, and one per centum on the first one hundred thousand dollars of current collections and one-half of one per cent. on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive fifteen hundred dollars a year salary, and fifty per cent. of all fees by him earned in said office when collected.

**Sec. 28.** In counties of the sixth class the Clerk of the Circuit Court shall receive sixteen hundred dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

The Auditor shall receive one thousand dollars a year salary, and in addition thereto eighty dollars for each one thousand inhabitants of said county.

The Recorder shall receive ten hundred and fifty dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

The Treasurer shall receive thirteen hundred dollars a year salary, and in addition thereto six per centum on all delinquent taxes by him collected, and one per centum on the first one hundred thousand dollars of current collections, and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive sixteen hundred dollars a year salary, and fifty per cent. of all fees by him earned in said office when collected.

**Sec. 29.** In counties of the seventh class the Clerk of the Circuit Court shall receive seventeen hundred dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

The Auditor shall receive twelve hundred dollars a year salary, and in addition thereto seventy-five dollars for each one thousand inhabitants of said county.

The Recorder shall receive eleven hundred dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

The Treasurer shall receive fourteen hundred dollars a year salary, and in addition thereto six per centum on all delinquent taxes by him collected, and one per centum on the first one hundred thousand dollars of current collections, and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive seventeen hundred dollars a year salary and fifty per cent. of all fees by him earned in said office when collected.



**Sec. 30.** In counties of the eighth class the Clerk of the Circuit Court shall receive eighteen hundred dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

The Auditor shall receive fourteen hundred dollars a year salary and in addition thereto seventy dollars for each one thousand inhabitants of said county.

The Recorder shall receive eleven hundred and fifty dollars a year salary and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

The Treasurer shall receive fifteen hundred dollars a year salary and in addition thereto six per centum on all delinquent taxes by him collected and one per centum on the first one hundred thousand dollars of current collections and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive eighteen hundred dollars a year salary and in addition thereto fifty per cent. of all fees by him earned in said office when collected.

**Sec. 31.** In counties of the ninth class the Clerk of the Circuit Court shall receive twenty hundred dollars a year salary, and in addition thereto, fifty per cent. of all fees by him earned in said office when collected.

The Auditor shall receive fifteen hundred dollars a year salary, and in addition thereto, sixty-seven dollars for each one thousand inhabitants of said county.

The Recorder shall receive thirteen hundred dollars a year salary, and in addition thereto, fifty per cent. of all fees by him earned in said office when collected.

The Treasurer shall receive eighteen hundred dollars a year salary, and in addition thereto, six per centum of all delinquent taxes by him collected, and one per centum on the first one hundred thousand dollars of current collections and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive twenty hundred dollars a year salary, and in addition thereto, fifty per cent. of all fees by him earned in said office when collected.

**SEC. 32.** In counties of the tenth class the Clerk of the Circuit Court shall receive twenty-three hundred dollars a year salary, and in addition thereto, fifty per cent. of all fees by him earned in said office when collected.

The Auditor shall receive twenty-eight hundred dollars a year salary, and in addition thereto, sixty-five dollars for each one thousand inhabitants of said county.

The Recorder shall receive fourteen hundred dollars a year salary, and in addition thereto, fifty per cent. of all fees by him earned in said office when collected.

The Treasurer shall receive twenty-hundred dollars a year salary, and in addition thereto, six per centum on all delinquent taxes by him collected, and one per centum on the first one hundred thousand dollars current collections, and one half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive twenty-eight hundred dollars a year salary, and fifty per cent. of all fees by him earned in said office when collected.

**SEC. 33.** In counties of the eleventh class the Clerk of the Circuit Court shall receive three thousand dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office, when collected.

The Auditor shall receive three thousand dollars a year salary, and in addition thereto sixty dollars for each one thousand inhabitants of said county.

The Recorder shall receive fifteen hundred dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office, when collected.

The Treasurer shall receive twenty-five hundred dollars a year salary, and in addition thereto six per centum on all delinquent taxes by him collected, and one per centum on the first one hundred thousand dollars of current collections, and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive three thousand dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office, when collected.

**SEC. 34.** In counties of the twelfth class the Clerk of the Circuit Court shall receive nine thousand dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office, when collected.

The Auditor shall receive nine thousand dollars a year salary, and in addition thereto fifty-five dollars for each one thousand inhabitants of said county.

The Recorder shall receive eight thousand dollars a year salary, and in addition thereto fifty per cent. of all fees by him earned in said office, when collected.

The Treasurer shall receive four thousand a year salary, and in addition thereto six per centum of all delinquent taxes by him collected, and one per centum of the first one hundred thousand of current collections, and one-half of one per centum on all current collections in excess of one hundred thousand dollars.

The Sheriff shall receive nine thousand a year salary, and in addition thereto fifty per cent. of all fees earned by him in said office, when collected.

**SEC. 35.** The population of each county shall be ascertained biennially by taking the aggregate vote cast at each general election for Secretary of State and multiplying the same by four and one half. Fractions of a thousand population in counties shall be counted for compensation *pro rata* as herein provided, and salaries and other compensations herein provided for county officers shall take effect as follows: That based on services rendered and the population of 1896, as shown by the vote on Secretary of State at the general election of 1896, multiplied by four and one half and so computed, on the taking effect of this act, and so ascertained therefor on the first day of January next succeeding each general election held in the State of Indiana. The Secretary of State shall officially certify the aggregate vote cast by all parties for Secretary of State at each general election as soon thereafter as he can do so from the official returns on file in his office to the County Auditor of each county in the State.

## CLERK'S FEES.

**Sec. 36.** The Clerks of the Circuit, Criminal and Superior Courts of this State, on behalf of the county in which said courts are held, shall tax and charge upon proper books, to be kept in their offices for that purpose, the fees and amounts provided by law, which amounts so taxed shall be designated as "Clerks' Costs," but they shall in no sense belong to and be the property of the Clerk, but shall belong to and be the property of the county, and become a part of the county revenue. Said Clerk shall tax and charge: For filing each paper, except writs under seal, subpoenas, and where otherwise provided in this fee bill, five cents. For filing vouchers (other than estates and guardianships), each, two cents. For issuing, under attestation and seal, each summons, summons in garnishment, writ of replevin, writ of attachment, writ of habeas corpus, dedimus and venire, forty cents. For taking and approving undertaking in attachment, replevin, or any other proceeding where undertaking is required, twenty-five cents. For issuing alternative or peremptory writ of mandate, per 100 words (four figures counting as a word), ten cents. And for attestation and seal thereto, fifty cents. For issuing writ of prohibition, per 100 words (four figures counting as a word), ten cents. For filing precipe and issuing new subpoena, to include all witnesses in one county called for at one time, except Grand Jury subpoenas, twenty-five cents. For issuing notice of publication to non-resident defendants, including attestation and seal, forty cents. For filing precipe and issuing each execution, venditioni exponas, execution on transcript of a judgment to bind real estate, including mandate and seal, the recording of Sheriff's return and the indorsement of Clerk's receipt for moneys collected thereon, one dollar and twenty-five cents. For filing precipe and issuing each fee bill (which shall contain every item of fees), including mandate and seal, the recording of Sheriff's return and the indorsement of Clerk's receipt for moneys collected thereon, seventy-five cents. For filing precipe and issuing each decretal order of sale of property, including mandate and seal, the recording of Sheriff's return and indorsement of Clerk's receipt for moneys collected thereon, per 100 words (four figures counting as a

word), ten cents. For entering, approving and attesting stay of execution, including all oaths and affidavits as to sufficiency of sureties and the docketing of name or names of replevin bail, and indexing the same on the judgment docket, twenty-five cents. For each affidavit prepared by and sworn to before the Clerk, except where otherwise provided in this fee bill, fifteen cents. For administering an oath to witnesses in court, to include all persons sworn at one time, five cents. For polling each jury, ten cents. For swearing each jury, ten cents. For all services required by Clerk in connection with a struck jury upon notice, except venire, fifty cents. Venire for struck jury, to include all names, thirty cents. For administering all other oaths where jurat is not required, except where otherwise provided for in this fee bill, fifteen cents. For preparing any affidavit, administering oaths and affixing jurat and attestation and seal to any instrument in writing for the procurance or drawing of any pension, bounty, prize money or back pay for any soldier or seaman, their widows or orphans, ten cents. For noting each witness claim on witness register, and taxing same on fee book, two cents. For entering the aggregate amount of fees due each foreign Clerk, each Sheriff, Coroner, Mayor, Justice of the Peace, Marshal, Constable, Commissioner, Appraiser, Printer, Attorney or other persons on the fee book, five cents. For writing each receipt for money paid into the Clerk's hands other than for fees, five cents. For entering satisfaction of judgment on the judgment docket in the order book, five cents. For entering satisfaction on fee book, to be taxed once only, five cents. For entering satisfaction of mortgage in Recorder's office on decree of foreclosure thereof, twenty cents. For making all entries of the receipts and disbursements of money had in any cause appearing on the entry docket in cash book except fees, ten cents. For entering alphabetically the name of each person for whom money has been paid into the Clerk's hands on the "Register of Fees" or Trust Fund Register, including statement of cause, in what book and page, the amount paid in, and date of receipt and disbursement, for each name so entered, five cents. For filing each copy of letters patent, preparing and filing affidavit as to the genuineness thereof, etc., swearing applicant thereto and issuing copy of affidavit for applicant, including certificate and seal, seventy-five cents. For filing, recording and indexing

Justice's certificate of estray, twenty-five cents. For copying of certificate of estray or printed when required to be advertised by law, twenty-five cents. For filing noting of recording and indexing each certificate of insurance company, including the Clerk's certificate of the filing thereof and receipt of fee, fifty cents. For filing, recording and indexing any power of attorney, fifty cents. For examining records and making out certificates under seal, for School Fund, University or College Fund borrowers, fifty cents.

For examining record and making each certificate under seal as to official character of a person, fifty cents.

For each certificate under seal attached in authentication of any copy of any record or paper, except where otherwise provided by this fee bill, fifty cents.

For writing and taking the acknowledgment of any person or persons to any instrument in writing and attaching attestation and seal thereto taken at one time, twenty-five cents.

For entering the title and nature in full on the entry docket of each cause, indexing alphabetically and numbering same, noting the names of attorneys appearing therein, the date of the filing and issuance of process, when returnable, and date of judgment, fifteen cents.

For entering the title and nature of each action in full on each docket, court docket, bar docket, numbering same, noting names of attorneys appearing therein, the date of filing and issuance of process, when returnable, Sheriff's return on writ, and status of cause as to issue formed on pleadings pending, ten cents.

For entering the title and nature of each action on the fee book, numbering and indexing the same, ten cents.

For entering each judgment and each transcript of a judgment to bind real estate on the judgment docket, stating at length the names of each person against whom judgment is rendered, the amount thereof and costs, number of the cause in which judgment was rendered and the page of the order book containing the entry thereof, ten cents.

The indexing alphabetically each name of a judgment debtor, bail or replevin bail on the judgment docket, five cents.

For writing and attesting the assignment of any judgment, ten cents.

For noting attorney's lien on judgment docket, ten cents.

For entering each cause in which execution issues on the execution docket, stating names of parties, the amount of judgment, interest due and costs, date of issuance and to whom directed, and indexing same, fifteen cents.

For entering upon the order book each entry required by law of the proceedings of the court made on one day in any cause, including the number and title of the cause and indexing same, fifteen cents; when such entry exceeds 100 words, at the rate of ten cents per 100 words (four figures counting as a word).

For making complete record in all cases when required by law or ordered by the court or parties, per 100 words (four figures counting as a word), eight cents.

For indexing alphabetically each cause in complete record index, five cents.

For copying any record or paper when demanded by any person or required by law, except otherwise provided in this fee bill, per 100 words (four figures counting as a word), eight cents.

For certified copy of the record of any marriage license, including the marriage certificate and return thereon by person officiating, fifty cents.

For recording a transcript of a judgment to become a lien on real estate on the order book, per 100 words (four figures counting as a word), ten cents.

When by law or order of the court the Clerk is required to do any writing in relation to any matter where no specific fee or allowance is made, he shall charge and collect therefor at the rate of 10 cents per 100 words (four figures counting as a word): *Provided*, That the Clerk shall collect nothing for taxing Clerk's cost, jury fee or docket fee, or for paying the same or satisfying record thereof.

For issuing, recording and indexing each physician's license and registering name of physician, including all affidavits required therefor, and including the attestation and seal thereto attached, and indexing and registering in physicians' register, one dollar and fifty cents.

For issuing, recording and indexing each marriage license, including all affidavits required for the procuration thereof, the



attestation and seal thereto attached, and filing and recording of the marriage certificate and return of person officiating, two dollars.

For filing, indexing and recording statement and issuing stock sire license, including all affidavits required for the procurement thereof and the official attestation and seal, fifty cents.

For each certified copy of a stock sire license, including sworn statement and pedigree, twenty five cents.

For recording and indexing each declaration of intention of any person desiring naturalization, administering oath of abjuration, and issuing certified copy thereof under official seal to applicant, one dollar.

For making and indexing record of the naturalization of any person, administering oath of abjuration and issuing certificate of naturalization with official attestation and seal attached, one dollar.

For issuing certificate of election to Constable, including official attestation and seal, fifty cents.

For taking, approving, recording any official bond, and administering and endorsing on certificate or commission, oath of office, one dollar.

For entering and indexing the name of each county and township officer whose bond is required by law to be filed in the Clerk's office, on the register of officers, noting amount of bond, names of sureties, date and expiration of term of office, and the occurring of vacancies, to be paid by the respective officer, ten cents.

For filing and recording in *lis pendens* records, each notice required by law of a party of commencement of suit, and indexing same in the names of the several parties, plaintiff and defendant, whose interest in real estate is sought to be affected, to be paid on filing thereof by person filing the same, fifty cents.

For filing and recording in *lis pendens* record, each notice of Sheriff or Coroner, of the seizure or levy upon real estate by virtue of a writ of attachment or execution issued to them from a Court of any county in which they are not Sheriff or Coroner, and indexing said notice in the names of the several parties, plaintiff and defendant, to be paid on filing thereof by the attachment or execution plaintiff, fifty cents.



For preparing the following certificates under seal and recording same on *lis pendens* record, to be made out on demand of the owner of the real estate attached or levied on, viz. :

1. Certificate of dismissal of attachment.
2. Certificate of satisfaction of judgment rendered on attachment.
3. Certificate of satisfaction of execution without sale of lands attached or levied on.
4. Certificate of redemption of real estate within the time allowed by law after a sale thereof upon execution or attachment, for each of such certificates and recording same, fifty cents.

For filing and recording and indexing Sheriff's certificate of purchase on *lis pendens* record, fifty cents.

For filing, indexing and recording assignment of Sheriff's certificate of purchase on *lis pendens* record, twenty-five cents.

For entering alphabetically the names of each surety on any and all bonds of every description filed in the Clerk's office in the official bond register, indicating the character of such bond and referring to the book and page where such bond is recorded, for each name so entered, to be paid out of the county treasury, five cents.

For making out, under oath, each annual list of fines, jury fees collected during the preceding year, and all witness fees, notary's fees and all other fees in his hands remaining unclaimed for two years, paying the amount thereof to the County Treasurer, taking his receipt therefor, and filing the same, with such list, in the office of the County Auditor, to be paid out of the county treasury, two dollars.

For making out each monthly list of docket fees collected, paying the amount thereof to the County Treasurer and taking out and filing his receipt therefor, to be paid out of the county treasury, fifty cents.

For making out each tabulated report to the Secretary of the County Board of Health, containing the marriages for the preceding month, to be paid out of the county treasury, fifty cents.

For preparing for the use of the Adjutant-General of the State a tabulated statement by townships, cities and towns, arranged in alphabetical order and in accordance with the forms

prescribed therefor by said Adjutant-General, the name of each person employed in the armies and wars of the United States as listed by the several township assessors, for each name so tabulated, to be paid out of the county treasury, two cents.

For filing each enrollment list, to be paid out of the county treasury, one cent.

For furnishing each statistical report required by the Chief of the Bureau of Statistics, to be paid out of the county treasury, fifty cents.

For all duties required by law of the Clerk in connection with the admission into and discharge from any insane hospital of a patient, embracing the filing of all necessary papers, the preparation of all certificates, affidavits and statements, the administering of all oaths, the issuing of all oaths, the issuing of all subpoenas and warrants, also the records of proceedings required by statute, and all other services in relation to such admission and discharge not herein enumerated, to be paid out of the county treasury, five dollars.

For all duties required by law of the Clerk in connection with the admission into and discharge from any insane hospital of a patient on the recurrence of his insanity, embracing the filing of all papers, the administering of all oaths, preparation of all affidavits and issuing of all certificates, also the records of all proceedings required by the statute, and issuing of warrants, to be paid out of the county treasury, two dollars and fifty cents.

For issuing each election certificate to Sheriff, one dollar.

For filing report of County Commissioners of precincts formed, five cents.

For filing each oath of Judges and Inspectors collectively attached to poll books, two cents.

For filing each oath of Clerks of Election attached to poll books, two cents.

For filing each petition for nominations of candidates, two cents.

For filing each certificate of nomination, two cents.

For making record of organization and proceedings of Election Commissioners, fifty cents.

For preparing each list of candidates (ballots) to be voted for by electors of county, one dollar.

For preparing each list of candidates (ballot) to be voted for by the electors of each township, twenty-five cents.

For going to and returning from office of the Governor of the State to receive State ballots, for each mile necessarily traveled, five cents.

For delivering to each Election Inspector, and taking and filing receipt therefor, for each precinct, ten cents.

For filing or preserving each bag or envelope containing affidavits of challenged voters, mutilated or disputed ballots and one copy each of poll book and tally papers, five cents.

For preparing and filing each affidavit of Inspector accompanying the delivery of said bags or envelopes, fifteen cents. For filing each poll book and each tally paper, two cents.

For acting as Clerk of Board of Canvassers and making out each canvass sheet of the vote of the county, by township and precinct, for each precinct canvassed, twenty-five cents.

For copying each canvass sheet by township and precincts on the election record, for each precinct so copied, ten cents.

For making out and delivering certificate of election to any person not to be commissioned by the Governor, to be paid by such person, twenty-five cents.

For making out and forwarding each certificate, under seal, for the use of the Secretary of State, of officers elected to be commissioned by the Governor, all named elected at any time to be included in one certificate, fifty cents.

For making out each certificate, under seal, to the Sheriff, of vote cast for Joint Representative, and for Joint Senator, twenty-five cents.

For making out and delivering certificate, under seal, of vote cast for Representative or Senator, twenty-five cents.

For making out certificate, under seal, of vote cast for Governor, Representative in Congress, Lieutenant-Governor, Judge of Supreme, Superior and Circuit Courts, Clerk of the Supreme Court, Reporter of Decisions of Supreme Court, Prosecuting Attorney, Superintendent of Public Instruction, Secretary, Auditor and Treasurer of State, Attorney-General, State

Geologist, State Statistician and for the Senator and Representative in General Assembly, and mailing same to Secretary of State, fifty cents.

For taking and filing Postmaster's receipt therefor, five cents.

For making out under seal, and making duplicate certificate of vote cast for Governor and Lieutenant-Governor, one for the use of the Speaker of the House of Representatives and one for the use of the Secretary of State, each twenty-five cents.

Each item of fees herein above allowed the Clerk for his services in "election matters," except where otherwise provided, shall be paid him out of the county treasury.

The allowance and the order for the payment thereof out of the county treasury made by the Court to grand and petit jurors in attendance during any term of court for their per diem and mileage fees shall be entered on the order book in one entry, specifying therein the number of days served, miles traveled, and the aggregate amount due each, for which entry the Clerk shall charge and collect, to be paid out of the county treasury, a fee of one dollar.

Each allowance and the order of the payment thereof out of the county treasury made by the Court to the Sheriff of the county and Bailiff for their per diem and other services rendered during any term of court shall be entered on the order book in one entry, specifying the number of days each served, the nature of such services and each item of fees allowed therefor, for which entry the Clerk shall charge and collect, to be paid to him out of the county treasury, a fee of fifty cents.

Each allowance and the order of the payment thereof out of the county treasury made by the Court to any person other than to grand and petit jurors and Sheriff and Bailiffs for any services rendered under the order and direction of the Court shall be entered on the order book, specifying the name of the person to whom such allowance has been made, the nature of the services rendered and the amount allowed therefor, for which entry and indexing the Clerk shall charge and collect a fee of twenty-five cents, to be paid him out of the county treasury.

For entering and indexing on the order book each order of appointment of any special Judge, Master Commissioner, Probate Commissioner, Elisor Commissioner, City Commissioner

and Bailiffs, and administering to each and entering his oath of office, to be paid out of the county treasury, fifty cents

For drawing each petit and grand jury and separately certifying, indexing and recording the drawing of each of said juries on the order book, for each entry, to be paid out of the county treasury, twenty-five cents.

For certifying under seal any allowance made to any special Judge, preparing the necessary affidavits of the presiding and special Judge in connection therewith, and furnishing a certified copy of such allowance to the County Treasurer, to be paid out of the county treasury, fifty cents.

For attending court in person or by deputy, the Clerk shall receive for each day the court is actually in session two dollars. All allowances made by the Court during any term (except allowances made to special Judge and Clerk) shall be at the close of each term included in one general certificate by the Clerk, duly attested and sealed, for payment out of the county treasury, for which certificate said Clerk shall receive, to be paid out of the county treasury, a fee of one dollar. But in no case shall the Clerk charge and collect any fee for any special certificate of allowance for payment except from the person to whom said allowance is due. Clerks shall tax in each civil action to the losing party as a part of the cost in the cause, to be collected as other costs are, and paid into the county treasury, a docket fee of two dollars: *Provided*, That in all cases where suits are dismissed, no docket fee shall be taxed or collected. Clerks shall tax in each civil cause in which a jury is impaneled and sworn to try the same, except in proceedings of inquisitions of lunacy and claims against estates, a jury fee of four dollars and fifty cents, which shall be paid by the losing party, and shall be collected as other costs are, and paid into the county treasury.

#### CRIMINAL CASES.

For like or similar services performed by the Clerk in criminal actions of matters he shall tax and collect the same fees as are allowed by law for the services in civil actions or matters and in addition thereto he shall also charge and collect in criminal proceedings, to wit:

For issuing under attestation and seal each warrant, writ of attachment, summons or indictment or information against corporations, and order for removal of a prisoner in danger of a mob to the jail of another county, twenty-five cents.

For issuing each Grand Jury subpoena to include all witnesses in one county called for at one time, to be paid out of the county treasury, two cents.

For administering oaths to Grand Jury, to be paid out of the county treasury, ten cents.

For entering in order-book each order of the Court fixing the amount of bail of a person under arrest on indictment or information, ten cents.

For indexing and recording in order-book each recognizance taken in open court or taken and filed in the Clerk's office by any Police Judge, Mayor, Justice of the Peace, Coroner or Sheriff, and indexing and docketing same on the judgment docket, forty cents.

For entering discharge of each recognizance, ten cents.

For indexing and recording on order-book the empaneling and swearing of Grand Jury, to be paid out of the county treasury, twenty-five cents.

For each certified copy under seal of a recognizance at request of surety, fifty cents.

For recording each indictment and affidavit and information, including names of witnesses and the endorsements and signatures made by the foremen and Prosecuting Attorney on the back thereof, also the Clerk's certificate of the comparison with the original indictment, per 100 words (four figures counting as a word), to be paid out of the county treasury, ten cents.

For indexing each indictment or information, to be paid out of the county treasury, five cents.

For issuing each copy of a judgment on commitment of a convict to the State Prison, per 100 words (four figures counting as a word), to be paid out of the county treasury, ten cents, and for certificate and seal thereto, to be paid out of the county treasury, twenty cents.

For entering and indexing on order-book the proceedings of the Court, preparatory to the commitment of any girl to the Reformatory Department of the Reform School for Girls, mak-

ing out commitment under certificate and seal, and performing all duties required by law in connection with such commitment, to be paid out of the county treasury, one dollar.

For entering and indexing in order-book the proceedings of the Court preparatory to the commitment of any boy to the Indiana Reform School for Boys, making out order for commitment under seal and certificate, and performing all other duties required by law in connection with such duties required by law in connection with such commitments, to be paid out of the county treasury, one dollar.

For indexing and entering on order-book each return of indictment made by Grand Jury, to be paid out of the county treasury, fifteen cents.

For indexing and recording on order-book each report made by the Grand Jury, per 100 words (four figures counting as a word), to be paid out of the county treasury, ten cents.

For writing, attesting and sealing Clerk's certificate of deposit of money in the place of giving bail to any person under arrest or indictment or information, twenty-five cents.

For indexing and entering on order-book the fact of the deposit of money being made by a person under arrest instead of giving bail, twenty-five cents.

For indexing and entering on order book each order of the Court for the return of money made by depositor as paid on his discharge as special bail on his receipt thereof, twenty-five cents.

For indexing and entering on order-book each forfeiture of a recognizance or money deposited as bail, fifty cents.

#### PROBATE.

The Clerk of the Circuit Court shall tax against each estate administered, and guardianship pending in said court, the fees and amounts provided in this section, and none other.

For filing each paper, except writs under seal, two cents.

For issuing under attestation and official seal each notice required by law or by order of the Court to be given by Clerk, twenty-five cents.

For issuing each summons and each subpoena, to include all witnesses in one county called for at one time, and the filing of the precipe therefor, to be paid out of the county treasury, twenty-five cents.

For preparing each affidavit and administering oath thereto, except where otherwise provided in this fee bill, ten cents.

For affixing *jurat* and swearing a person or persons to any affidavit not prepared by Clerk, five cents.

For each certificate under official seal attached in authentication of any copy of any record or paper, except where otherwise provided in this fee bill, fifteen cents.

For entering satisfaction on fee book, to be taxed once only, five cents.

For writing each receipt for money paid into the Clerk's hands other than for fees, five cents.

For writing and taking the acknowledgment of any person to instrument in writing and affixing attestation and seal thereto, twenty-five cents.

For indexing and docketing any probate cause or matter required by law to be docketed on each the issue docket, the probate entry docket and the bar docket, stating in full the title of the cause or matter, numbering same, noting the names of the attorneys appearing therein, the date of the filing and disposition thereof, and the date of the issuance of the process, if any be required, and when said process is returnable, ten cents.

For entering and indexing the title of each estate or guardianship on the probate fee book, and numbering the same, fifteen cents.

For entering upon the order book all the entries of the proceedings of the court required by law in probate matters and in matters of voluntary assignment (except guardians' inventories), reports and settlements of administrators, executors, assignees, trustees or guardians, including the number of the title of the cause or matter, per 100 words (four figures counting as a word), ten cents.

For indexing on the proper book, each five cents.

For entering upon the order book each guardian's inventory, current or final report of an executor, administrator, guardian,



assignee, trustee, and the proceedings of the Court thereon, including the title of the real estate or guardianship and rendering same, 100 words (four figures counting as a word), ten cents.

For indexing on the proper book, five cents.

For making complete record in all probate matters, when required by law or ordered by the Court or parties, per 100 words (four figures counting as a word), seven cents.

For indexing alphabetically each cause in complete record index, five cents.

For examining and recording each inventory or sale bill on the record provided for that purpose, including the affidavits and widow's receipts thereto attached, 100 words (four figures counting as a word), eight cents.

For indexing alphabetically each inventory or sale bill on their respective records, five cents.

For recording each will or codicil, the probate thereof and certificate of probate, on the record of the wills, per 100 words (four figures counting as a word), eight cents.

For indexing alphabetically each will on the record of wills, five cents.

For indexing and recording the election of widow or widower to take under will, and noting on will record the book and page in which such election is recorded, twenty-five cents.

For indexing and entering the title of each estate, and each cause of voluntary assignment on the general entry and allowance docket, noting the number of the estate, name of executor or administrator or assignee, his postoffice address, date of letters, penalty of bond and names of sureties, twenty-five cents.

For entering each claim against an estate or assigning debtor on the general entry and allowance docket, noting consecutively the number of each claim, name of claimant, date of filing, amount of claim, date of allowance thereof, amount allowed and remarks, ten cents.

For briefly noting and indexing the filing of each inventory or sale bill on the general entry and allowance docket, fifteen cents.

For briefly noting and indexing the nature of each proceeding and date thereof had by the Court at any time in connection with any estate or assignment, indicating the book and page where such proceeding is recorded on the general entry and appearance docket, fifteen cents.

For indexing each estate or assignment alphabetically on the general entry and allowance docket, five cents.

For indexing and entering the title of each guardianship on the guardian's docket, noting the date of issuing letters and name and residence of guardian, name and residence of sureties and amount of bond, ten cents.

For briefly noting on guardian's docket the proceedings had by the Court at any term in connection with any guardianship, indicating the book and page where such proceeding is recorded, five cents.

For indexing alphabetically each guardianship on the guardian's docket, two cents: *Provided*, That in estates of less than five hundred (\$500) dollars set off to a widow no charge for any service shall be made by the Clerk.

For certified copies of exemplified transcripts of any paper or record required by law or demand by any person, per one hundred words (four figures counting as a word), eight cents.

For providing each will and endorsing the certificate of probate and certificate of record thereon, including all affidavits, oaths, statements, attestations and seals and other acts connected with such proof, one dollar.

For providing a codicil and endorsing certificates of probate and record thereon, including all affidavits, oaths, statements, attestations and seals and all other acts connected therewith, fifty cents.

For entering on will record the revocation on any will made by the Court on successful contest thereof, to be paid as part of the costs by the party against whom costs of contests have been adjudged, fifty cents.

For taking and approving each bond of an executor, administrator, trustee or guardian, and issuing letters testamentary, letters of administration, or letters of guardianship, including all applications, statements, affidavits, certificates, attestations and seals, and recording bonds and letters, one dollar.

For indexing each surety on bond in estate, guardianship or assignment in their respective bond records, five cents.

For reporting the granting of each letter testamentary, letters of administration or letters of guardianship by the Clerk in vacation, and entering the ratification of the Court of such acts on the order book, and indexing the same in each case, ten cents.

For issuing each order of appointment or (of) appraisers on petitions of guardians to sell real estate, including description of real estate to be appraised, and attestation and seal, fifty cents.

For taking and approving each additional bond of any executor, administrator or guardian, on petition to sell real estate, including affidavits of sureties, and recording and indexing of such bond, fifty cents.

For taking and approving each new or additional bond required of an executor, administrator or guardian, including affidavits of sureties and the recording and indexing of such bond, fifty cents.

For making each report to the Auditor of State, stating the amount of money paid into the hands of the Clerk of the executors, administrators, commissioners or trustees for "unknown heirs," including certificate and seal, to be retained out of the amount so due said unknown heir or heirs respectively, fifty cents.

For filing and indexing files in each estate, fifteen cents.

For each day actually in attendance upon any session of Circuit, Superior or Criminal Court, by himself or deputy, to be paid out of the county treasury, two dollars. All fees for services rendered by the Clerk which by this act are made payable out of the county treasury, and are not payable by order of the Court in connection with his report of the Clerk's costs to county treasury, shall be presented in itemized and verified written or printed accounts of the Board of County Commissioners at any of their sessions, who shall duly audit the same, and being found correct enter an order of allowance thereof in the proper record, and the Auditor shall draw his warrant for payment thereof on the county treasury. All other fees for services rendered by the Clerk, which by this act are made payable out of the county treasury, by order of the Court, shall be

presented in itemized and verified written or printed accounts to the Judge of the respective Court, who shall audit the same, and being correct order payment thereof. Such order of payment shall be entered on the order book, and shall specify the total amount so allowed, and such account, with the order of payment endorsed thereon by the Judge and filed with the Auditor of the county, shall be sufficient authority to such Auditor to draw his warrant for the payment thereof on the county treasury.

#### AUDITOR.

SEC. 37. The Auditors of the various counties of this State on behalf of their respective counties, tax and charge upon the proper book to be kept for that purpose in their respective offices, the fees and amounts provided by law, on account of the services performed by said Auditors.

The fees and amounts so taxed shall be designated "Auditor's costs," but they shall in no sense belong to or be the property of the Auditor, but shall belong to and be the property of the county. They shall tax and charge: For copies of all records, for each one hundred words, ten cents.

For writing affidavits and swearing affiant thereto, twenty-five cents.

For each license other than liquor licenses, to be paid by the licensee, two dollars.

For each retail liquor license, to be paid by the licensee, four dollars.

For each permit for storage room, one dollar.

For taking, approving and indexing and recording bond, one dollar.

For making certificate of tax sale, including the registering and recording and indexing the same, to be paid by the person receiving the same, fifty cents.

For acknowledgment and recording and indexing an assignment and certificate of tax sale, to be paid by the party desiring the same, fifty cents.

For making, recording and indexing deeds on sale of school fund for non-payment of principal or interest, to be paid by the person to whom said deed is made, one dollar.

For taking an acknowledgment and certificate, twenty-five cents.

For each school fund mortgage, to be paid by the mortgagor, one dollar.

For making tax deed, to be paid by the person receiving the deed, including acknowledgment and indexing and registration of such deeds, including all lands in each certificate, one dollar and twenty-five cents.

For every entry and transfer of land for taxation, to be paid for by the person requesting such transfer, for each tract or town lot, ten cents.

For each subpoena, twenty-five cents.

For recording town plats containing not more than 100 lots each, three dollars.

For each lot in excess of 100 contained in such plat, one cent.

For transferring from land description to lot, for each lot, five cents.

The Auditor shall not receive, charge or tax any fee or commission against the county for the management of the school funds.

SEC. 38. Where the Auditor is required by law to perform any service not specially mentioned in this act, for which services the Auditor shall be entitled under the law existing before the taking effect of this act, to tax, charge or receive any fee or compensation in his own favor for such service, he shall hereafter tax the amount on account of such service in favor of the county, and the same shall be collected and paid into the county treasury and become a part of the county revenue, as elsewhere provided in this act.

#### RECORDER.

SEC. 39. The Recorders of the various counties in this State, on behalf of their respective counties, tax and collect, upon proper books to be kept in their offices for that purpose, the fees and amounts provided for by law on account of services rendered by said Recorders. The fees and amounts so taxed and collected shall be designated as "Recorder's Costs," but they shall in no sense belong to or be the property of the Re-

corder, but shall belong to and be the property of the county, and become a part of the county revenue, as elsewhere provided in this act. The fees so taxed and collected shall be as follows:

For entering in the entry book and recording deeds and mortgages, and the acknowledgment thereto, and indexing the same, if such deed or mortgage do not contain more than six hundred words, one dollar. And if such instrument contains more than six hundred words, for each additional one hundred words (four figures counting as a word), ten cents.

For certificate not under seal, twenty-five cents.

For each certificate and seal, fifty cents.

For entering on entry book, indexing and recording all other instruments, ten cents per one hundred words, but no charge to be less than twenty-five cents.

For recording town plat, the first one hundred lots or under, three dollars. For each additional lot, five cents.

For issuing fee bill for fees not his own sealing and certifying the same, fifty cents.

For attesting satisfaction of mortgage or other lien, ten cents.

For examining title to real estate and certifying to same for any school fund loan, two dollars and fifty cents.

SEC. 40. When the Recorder is by law required to perform any service not specifically mentioned in this act, for which service he would be entitled, under the law existing before the taking effect of this act, to tax, charge or receive any fee or compensation in his own behalf for such service from any person other than the county or township, he shall hereafter tax and collect in behalf of the county the same amount for such service, which shall be paid into the county treasury as elsewhere provided for in this act, and become a part of the county revenue.

When the Recorder performs any service in the way of taking acknowledgments for instruments which he is authorized under the law to take, but which no other officer authorized to take acknowledgments might perform, then such Recorder shall not be required to account to the county for any fee for any such service.

## TREASURER.

SEC. 41. After the third Monday of April the Treasurer shall cause a list to be made of the delinquents, with the amount due from each, and with a separate column headed "Return," which list shall be certified to be correct by the County Auditor. He shall then proceed with such list, which, when so certified, shall be a sufficient authority, and have the same force and effect as an execution, and call either in person or by deputy upon every person named in the duplicate who is delinquent, and who resides in the county, and he shall make a demand for the amount of such delinquent taxes, and the penalty thereon, of each resident delinquent, and if the taxes and penalty are not paid on such demand he shall proceed immediately to levy upon sufficient personal property of such delinquent to pay such taxes, penalty and the cost of sale, and to sell the same in the manner and at the place hereinafter provided. In case such delinquent tax and penalty is paid, such Treasurer shall charge and receive from such delinquent, in addition to the taxes and penalty, the sum of twenty-five cents for each demand, and where a levy is made he shall charge and receive, in addition to his other costs, the sum of fifty cents for such demand. When he can find no personal property of such delinquent within the county upon which to levy, after diligent search therefor, he shall make, opposite the names of such persons on said list in the column marked "Return," a special return, setting forth the fact that he had made diligent search in the county for personal property of such delinquent and was unable to find any upon which to levy for the payment of the taxes due thereon, which return shall be *prima facie* evidence of the facts therein cited.

The Treasurers shall, for their services in going to Indianapolis and returning by the nearest route by railroad to make their semi-annual settlement with the State Treasurer, receive from the State Treasurer mileage at the rate of five (5) cents per mile.

SEC. 42. County Auditors shall not credit the Treasurer with any uncollected delinquent taxes for which he claims credit, unless such Treasurer shall show by proper returns, as above provided, verified by his oath or affirmation, that he

had diligently sought for and has been unable to find any personal property for the sale of which he has been able to collect such taxes, or having made a levy, the same was exempt or he was enjoined or otherwise prevented from making sale or collection by a court of competent jurisdiction; and in all cases where he has failed to make demand upon residents who are delinquent, or to levy and sell when personal property can be found in the county out of which to make the tax, he shall be liable on his official bond at the suit of any taxpayer of the county for such uncollected delinquency and ten per cent. damages thereon.

SEC. 43. For levying and making sale of personal property to pay delinquent taxes, in addition to the fee for the demand upon the resident delinquent, the Treasurer shall be allowed the same fee and charges as are allowed by law to the constables for making levy and sale of personal property on execution and expenses for taking care of property levied on.

#### SHERIFF.

SEC. 44. The Sheriffs of the various counties of this State shall, on behalf of their respective counties, tax and charge the fees provided by law on account of the services performed by such officers; the fees and amounts so charged shall be designated "Sheriff's Costs," but they shall, in no sense, belong to, or be the property of the Sheriff, but shall belong to and be the property of the county, and become a part of the county revenue, except as otherwise provided in this act. For process issued from any other county than that of his residence, the Sheriff shall be entitled to charge and collect the same fees for like services in similar cases, which shall be his own. They shall tax and charge the following amounts, to wit:

For serving a writ in a criminal case and taking into custody, twenty five cents.

For each mile necessarily traveled in going to serve process or notice and returning, ten cents. And where there is more than one person named in a warrant, summons, subpoena, execution, fee bill or in any other process that the Sheriff may have to serve in the discharge of his official duties, he shall



charge on such process but one mileage from the county seat to where he finds the first person named in any such process, and but one mileage for every additional mile traveled by him in serving and returning such process where there is more than one party to be served.

For taking bail on execution, twenty-five cents.

For taking recognizance, twenty-five cents.

For returning writ, ten cents.

For summoning a jury of twelve men, with mileage as above, one dollar.

For summoning a special venire for each juror served, with mileage as above, ten cents.

For executing a writ of possession (and mileage as above), fifty cents.

For every person committed to jail, to be paid by the county, twenty-five cents.

For discharging each prisoner from jail, to be paid by the county, twenty-five cents.

For holding an inquisition, and drawing it up in form and returning the same, fifty cents.

For serving each person named in any process and return, forty cents: and for each copy required, twenty-five cents.

Selling property on execution or decree, a commission of three per centum on the first three hundred dollars, and one and one-half per centum on any excess above that amount; but when the money is paid to him without sale, one-half of the above commission only shall be allowed, and mileage as above.

Taking appraisement of real estate, twenty-five cents.

Taking inventory and appraisement of personal property, twenty-five cents.

Taking replevy bond, twenty-five cents.

Serving *capias* and *satisfaciendum*, twenty-five cents.

Levying on property and advertising same (with mileage as above), one dollar. When no money is made no other fee or award shall be allowed on execution, except for the expenses of keeping property, and expenses incurred in removing and storing property, and mileage as in other cases.

**Making certificate of sale on execution or decree, one dollar.**

**Making deed, one dollar.**

**Calling and empaneling a jury, five cents.**

**Serving a writ of attachment when property is taken (with mileage as above), fifty cents.**

**For each day employed in making inventory and appraisal of property taken under a writ of attachment, two dollars.**

**Taking bond for return of attachment property, twenty-five cents.**

**For docketing each cause and names of witnesses on Sheriff's docket (to be taxed to the losing party), ten cents.**

**For the actual number of miles traveled in going and returning to post up notices for the sale of any real or personal property (to be taxed and collected as other costs in the cause are taxed), for each mile so traveled as above, ten cents.**

**Sheriffs shall not be entitled to any fees for services performed by their bailiffs when such bailiffs are receiving pay by the day from the county at the time such services are rendered.**

**The Sheriff shall appoint as many bailiffs at each term of the Court as the business of the Court and Grand Jury shall require, under the advice and consent of the Judge of the court as to the number required.**

**The pay of the court bailiff shall be fixed by the Court and shall not exceed, to be paid by the county, per day, two dollars.**

**In counties where there are Criminal and Superior courts, the Judge of each court may appoint a bailiff, to be paid by the county, such bailiff's per diem to be paid by the county, and not to exceed three dollars. The pay of riding bailiffs per day, to be paid by the county, shall be two dollars and fifty cents.**

**The fees taxed on any process served by bailiffs, being paid by the county, shall be collected and paid into the county treasury and shall belong to the county.**

**In criminal cases not provided for, the like fees for services in civil cases shall be allowed. For collecting fee bills, except for his own fee, on the amounts collected, six per cent.**

**For each commitment or discharge of a prisoner under the authority of any city or incorporated town, to be paid by such city or town, twenty cents.**

For attending court in person or by deputy, for each actual day's attendance, to be paid by the county, two dollars.

In all cases where the Sheriff shall perform any service for the county required by law to be performed by him, and there is no provision for its payment, the Board of County Commissioners shall allow and pay such Sheriff the same compensation as is allowed by law for similar services, but the Sheriff shall make out an itemized statement of all such services performed for such county, before such allowance is made, but such allowance shall not be made unless such statement shall be filed with the Auditor ten days before the Commissioners' Court meets, and any taxpayer may resist the allowance of said account.

In counties where there are no jails or Sheriff's residences, the Board of County Commissioners shall allow to such Sheriff a reasonable amount for house rent and fuel.

The Sheriff shall be allowed the following fees for the following-named services, which shall be his own, and which he shall in no manner account to or pay into the county treasury said amounts:

For removing a person to the State Prison, Reform School for Boys or Reformatory for Women and Girls, six (6) cents a mile for each mile necessarily traveled for each person in custody and sheriffs and attendance allowed by law who may actually accompany such Sheriff, such sum to be paid out of the State Treasury on certificate of the Warden or officer receiving the prisoner, and on the verified statement of such Sheriff made and filed with the Auditor of State, who shall draw his warrant therefor. For removing a person to a hospital for the insane, the same compensation paid for taking a person to such hospital, to be paid in a like manner out of the county treasury, the Sheriff making his verified statement thereon with the certificate of the Superintendent or receiving officer of such hospital to the County Auditor, who shall draw his warrant therefor.

For every mile necessarily traveled in going to and returning from comparing the vote for and giving certificate to joint Senator or joint Representative, three cents, to be paid out of the county of said Sheriff's residence, on the verified statement of such Sheriff, filed with the County Auditor, who shall draw his warrant therefor.

For returning any person from any hospital for the insane, when required by law, the same compensation to be paid in the same manner as when taking a person to such hospital.

For boarding each person lawfully in his charge, per day, forty cents.

For taking a prisoner to any other county on any warrant issued by the Clerk, the same compensation as allowed for taking a prisoner to the State prison, to be paid by the county requiring the service, to be allowed by the court.

SEC. 45. The several Clerks, Auditors, Treasurers, Sheriffs and Recorders shall each keep in proper fee books an accurate account of all fees and charges, as required by law, for any and all services performed by them or their deputies or clerks, and they shall also keep a cash book, in which they shall enter consecutively and as received, each sum of money by them received, with the date of such receipt, the person from whom received, and a brief mention of the cause in which the same was received, which shall be kept for inspection during their continuance in office, and shall be delivered to their successors in office as a part of the records of their respective offices. And such county officers shall procure, at the expense of the county, such books, blanks and supplies as shall be required by reason of this act and for the transaction of the business of the county.

SEC. 46. The Clerks, Auditors, Treasurers, Sheriffs and Recorders of each county shall, on the first Monday of December, March, June and September of each year, each make a sworn report to the County Auditor, in writing, showing specifically the amount of fees collected during the preceding three months, and they shall pay to the County Treasurer the amount shown by said report, and take the County Treasurer's receipt therefor, which receipt shall be filed in the County Auditor's office, and the Auditor shall give to the officer a quietus for the amount paid by such officer, and which sum shall be kept by the Auditor and Treasurer of each county and paid into and become a part of the county revenue.

SEC. 47. The Clerks, Auditors, Treasurers, Sheriffs and Recorders of each county shall draw their salaries and percentage on all fees by him collected and paid into the county treasury quarterly.

All salaries and compensations herein contemplated shall be paid out of any money in the county treasury belonging to the county, and not otherwise appropriated, after orders to that effect made by the Board of County Commissioners, but in no case shall such order be paid until the services for which payment is sought shall have been rendered.

SEC. 48. If any of the officers named in this act shall willfully tax any fees or make any charges for services not by him actually performed, or shall charge, tax or collect any fees other than herein specified, or shall charge, tax or collect for any services any other fee than herein named, or shall charge for any services any other rate than is allowed by this act, or shall willfully fail or refuse to enter, tax or charge at the proper time the proper fees for such services, any such officer shall be fined in any sum not less than twenty-five dollars, to which may be added imprisonment in the county jail for any period not exceeding one year, and in addition he shall be liable personally upon his bond for any damage or loss sustained by the county.

SEC. 49. It shall be the duty of the Clerk, within sixty days after judgment shall have been rendered, to issue fee bills for all costs taxed in favor of any Clerk or Sheriff, and place the same in the hands of the Sheriff of the county where such party resides or may have property, for collection: *Provided, however,* That when any execution is issued against any party, all the costs awarded against the party against whom such execution is issued, including any costs made by such party, and taxable to him, shall be included in and collected under execution, and no fee bill shall necessarily be issued therefor.

SEC. 50. It shall be the duty of the Clerk at the time of filing any complaint or any other pleading in his office on which process is demanded to ascertain if any one of the parties demanding such process is a resident of the State of Indiana, and if not a resident of the State of Indiana, he shall not file such pleading or issue process thereon until an undertaking for costs to be approved of such Clerk shall have been filed, and the Clerk failing to ascertain such residence or failing to require such undertaking, shall be liable for the amount of all officers' costs incurred in such proceedings, and it is hereby made the duty of the Board of Commissioners of such county to retain the

sum out of his salary at their next quarterly settlement: *Provided*, That in ascertaining such residence the affidavit of the party or his attorney shall be sufficient justification for the Clerk.

**Sec. 51.** It shall be the duty of the Auditor, within sixty days from the time any costs taxed or charged in his office for Auditor's or Sheriff's services, shall have been performed, to issue fee bills for the same to the Sheriff of the proper county for collection, and it shall likewise be the duty of the Recorder, within sixty days after any fees are taxed in his office for services rendered by him, to issue a fee bill for the collection of the same: *Provided*, That all costs taxed under the provisions of this act shall be collectible upon the proper process by levy and sale without relief from value and appraisement laws, for the use and benefit of the proper county.

**Sec. 52.** Any officer failing or refusing to make the reports required by law, or to pay the amount due from him into the county treasury, shall forfeit and pay to the State the sum equal to the amount of the fees actually collected during that quarter, to be recovered by the Prosecuting Attorney in any court of competent jurisdiction, one-half to be paid to such Prosecuting Attorney and the balance into the common school fund.

**Sec. 53.** The Board of County Commissioners in their respective counties, together with their attorney, shall have full power and authority, and it is hereby made their duty, at their respective meetings, to inspect and examine records, fee books and papers of such county officers who collect fees for services they render in their different offices, for the purpose of comparing the accounts rendered by said officers with their books on entry, and any officer failing or refusing to deliver said fee book for inspection as provided in this section, shall forfeit and pay one hundred dollars, in like manner as provided in the preceding section for failing or refusing to make reports.

**Sec. 54.** All officers whose salaries are provided for in this act, and who have the collection of fees, costs or other moneys under the law, shall collect the same and pay them over to the proper officer or officers, and shall make and file with the proper officer or authorities quarterly an account of all such collections, and accompany the same with the money so collected.

**SEC. 55.** Any officer failing to comply with the provisions of the foregoing sections, shall be guilty of a misdemeanor and shall be fined in any sum not exceeding one thousand dollars.

**SEC. 56.** Nothing herein contained shall be so construed, in any event, as to allow any of the officers herein named, the salaries herein provided and also the fees required to be taxed, except as otherwise specified.

**SEC. 57.** All laws and parts of laws in conflict with this act are hereby repealed to the extent of such conflict.

**SEC. 58.** Whereas an emergency exists for the immediate taking effect of this act, it shall be in force and effect from and after its passage.

Senator Watson called up House Concurrent Resolution No. 18, and the same was concurred in by the Senate.

Senator Watson, Chairman of the Committee on Railroads, made the following report :

**MR. PRESIDENT :**

Your Committee on Railroads, to which was referred Senate Bill No. 357, the same being a bill for an act entitled an act on the subject of and relating to railroad crossings, etc., introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Railroads, made the following report :

**MR. PRESIDENT :**

Your Committee on Railroads, to which was referred Senate Bill No. 25, the same being a bill for an act to authorize any railroad company now organized or that may hereafter be organized under the laws of this State to lease or sell and convey its property and franchise to any other railroad company, whether organized within or without this State, introduced by



Senator Gostlin, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be amended as follows, and when so amended that said bill do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senate Bill No. 75 amendments :

Insert after the word "State," in line 7 of section 1, the words "or partly within and partly without this State."

After the word "State," in line 10 of section 1 insert the words "or partly within and partly without this State."

Add sections 2 and 3 as follows :

Section 2. Every railroad company which shall lease or sell its road or part thereof, as authorized by section 1 of this act, shall, notwithstanding such lease or sale, maintain an agent in each county through or into which such road runs, upon whom process or notice may be served in any suit or proceeding against such company, and upon failure to maintain such agent the agent or agents of the company acquiring such road or part thereof by lease or sale shall for the purpose of service of such process or notice be deemed the agent or agents of said company leasing or selling its road, and service of such process or notice upon any such agent shall be deemed service upon said company, and have the same force and effect as if served upon the authorized agent of such company.

Sec. 3. It shall be unlawful for any railroad company organized without this State after having leased or purchased any railroad or part thereof in this State, as authorized by section 1 of this act, to remove any action or suit in equity arising out of the operation of such railroad or part thereof from a Court of this State into a United States Court and any such removal shall work a forfeiture of such lease or sale.

Amend the title by adding thereto the following :

And to authorize such railroad company to acquire by lease or purchase the property and franchises of other railroad companies located within or without this State or partly within



and partly without this State, subject to all duties and obligations prescribed by the general railroad laws of the State and the obligation to pay the indebtedness of the company whose road is so acquired, requiring the maintenance of agents and providing for the service of process and notice, and making it unlawful to remove certain actions or suits from a State Court into a United States Court.

Senator Watson, Chairman of the Committee on Railroads, made the following report :

MR. PRESIDENT :

Your Committee on Railroads, to which was referred Senate Bill No. 355, the same being a bill for an act to authorize contracts of lease between existing railroad companies owning or operating railroads under the laws of this or any other State, introduced by Senator Hawkins, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Railroads, made the following report :

MR. PRESIDENT :

Your Committee on Railroads, to which was referred Senate Bill No. 76, the same being a bill for an act to authorize the consolidation of railroad companies of this State with foreign railroad companies, etc., introduced by Senator Gostlin, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Railroads, made the following report :

MR. PRESIDENT :

Your Committee on Railroads, to which was referred Senate Bill No. 423, the same being a bill for an act to amend section 261 of an act entitled an act concerning public offenses, their punishment, etc., introduced by Senator Shiveley, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Railroads, to which was referred Senate Bill No. 373, the same being a bill for an act defining official corruption and attempted corruption and to regulate the issuing of free passes, introduced by Senator Gochenour, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 438, introduced by Senator Humphreys, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

On motion of Senator Johnson, the Senate adjourned.

## SATURDAY AFTERNOON.

FEBRUARY 20, 1897.

The Senate convened at 2 o'clock P. M. with Lieutenant-Governor Haggard in the chair.

Senator Gilbert moved that as there were not enough members of the Senate present to continue the third reading of bills, that bills on second reading be taken up until such time as sufficient number be present to continue on third reading of bills.

Senator Shiveley moved to amend Senator Gilbert's motion by beginning with Z on the roll-call for bills on second reading, instead of beginning at A.

Which motion was lost.

Senator Gilbert's original motion prevailed.

Senator Campbell called up Senate Bill No. 376.

Which was read a second time by title and ordered engrossed.

Senator Alexander called up Senate Bill No. 29.

Which was read a second time by title and ordered engrossed.

Senator Culbert called up Senate Bill No. 316.

Which was read a second time by title and ordered engrossed.

Senator Drummond called up Senate Bill No. 108.

Which was read a second time by title and ordered engrossed.

Senator Bozeman called up Senate Bill No. 358.

Which was read a second time by title and ordered engrossed.

Senator Early called up Senate Bill No. 413.

Which was read a second time by title and ordered engrossed.

Senator Ellison called up Senate Bill No. 189.

Which was read a second time by title and ordered engrossed.

Senator Gildert called up Senate Bill No. 385.

Which was read a second time by title.

Senator Ellison's motion to strike out the enacting clause in Senate Bill No. 385, was lost.

Senator Self offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 385 by striking out section 3 of said bill and renumbering section 4 as section 3.

SELF.

Which amendment was lost by a vote of ten in the affirmative and fourteen in the negative.

Senator Shiveley offered the following amendment to Senate Bill No. 385:

MR. PRESIDENT:

I move to strike out "eighteen" out of line 2 and insert in lieu thereof the word fifteen.

SHIVELEY.

Which amendment was adopted by a vote of 21 in the affirmative to 14 in the negative.

Senator Shiveley offered the following amendment to Senate Bill No. 385:

MR. PRESIDENT:

I move to amend Senate Bill No. 385, by striking out the word "twelve," in line 1 of section 2 of said bill and inserting in lieu thereof the word "nine."

SHIVELEY.

Which amendment was lost by a vote of ten in the affirmative to fourteen in the negative.

Senator Houghton offered the following amendment to Senate Bill No. 385:

MR. PRESIDENT:

I move to amend Senate Bill No. 385 by striking out the words and figures "twelve hundred dollars (\$1,200.00)" in lines one and two of section two, and inserting in lieu thereof the words "one thousand dollars (\$1,000.00.)"

HOUGHTON.

Which amendment was adopted and the bill ordered engrossed.

Senator Gochenour called up Senate Bill No. 166.

Which was read a second time by title.

Senator Shiveley was called to the chair at 2:35 p. m.

Senator Drummond offered the following amendment No. 1 to Senate Bill No. 166 :

MR. PRESIDENT :

I move to amend Senate Bill No. 166 by striking out the word "one" (1) in line 11 of section 1, and inserting in lieu thereof the word "five."

DRUMMOND.

Which amendment was adopted and the bill ordered engrossed.

Senator Goodwine called up Senate Bill No. 370.

Which was read a second time by title and ordered engrossed.

Senator Gostlin called up Senate bill No. 310.

Which was read a second time by title and ordered engrossed.

Senator Hawkins called up Senate Bill No. 294.

Which was read a second time by title and ordered engrossed.

Senator Holler called up Senate Bill No. 210.

Which was read a second time by title.

Senator Hugg offered the following amendment to Senate Bill No. 210 :

MR. PRESIDENT :

I move to amend Senate Bill No. 210 by striking out the words and figures "sixty thousand (\$60,000) dollars," in lines 18 and 19, in section 2, and by inserting in lieu thereof the words and figures "thirty thousand (\$30,000) dollars.

HUGG.

Which amendment was adopted and the bill ordered engrossed.

Senator Horner called up Senate Bill No. 405.

Which was read a second time by title and ordered engrossed.

Senator Houghton called up Substitute Senate Bill No. 9.

Which was read a second time by title and ordered engrossed.

Senator Hubbell called up Senate Bill No. 259.

Which was read a second time by title.

Senator Hubbell offered the following amendment to Senate Bill No. 259:

MR. PRESIDENT:

I move to amend Senate Bill No. 259 by striking out of section two, line three, of the printed bill, the following words: "of this act or any other act," and inserting in lieu thereof the following words: "of any law of this State."

HUBBELL.

Which amendment was adopted and the bill ordered engrossed.

Senator Ellison requested that a leave of absence be granted Senator Culbert.

Which request was granted.

Senator Hugg called up Senate Bill No. 371.

Which was read a second time by title and ordered engrossed.

Senator Johnson of Madison called up Senate Bill No. 198.

Which was read a second time by title and ordered engrossed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to return Engrossed House Bill No. 510 to the Senate by request of the Senate.

B. H. PRATHER,

Principal Clerk.

Senator Hawkins moved that Engrossed House Bill No. 510 be recommitted to the Committee on Judiciary.

Which motion prevailed.

Senator Kerns called up Senate Bill No. 269.

Which was read a second time by title.

Senator Houghton offered the following amendment to Senate Bill No. 269 :

MR. PRESIDENT :

I move to amend Senate Bill No. 269 by inserting after the word "township" in line 3 of section 1 the words "and one additional justice of the peace for each incorporated town therein, who shall hold his office in said town."

HUGHTON.

Which amendment was adopted.

The bill was ordered engrossed.

Senator LaFollette called up Senate Bill No. 284.

Which was read a second time by title.

Senator LaFollette moved to make Senate Bill No. 284 a special order for Tuesday at 10 : 30 A. M.

Which motion prevailed.

Senator McCord called up Engrossed Senate Bill No. 60.

Which was read a second time by title.

Lieutenant-Governor Haggard returned to the chair at 3 P. M.

Senator Shiveley offered the following amendment No. 1 to Engrossed Senate Bill No. 60 :

MR. PRESIDENT :

I move to amend Senate Bill No. 60 by adding to the end of section 17 thereof the following :

But in any township, city or incorporated town where there is already established a library containing 15,000 or more volumes originally established by private bequest or donation or established jointly upon private bequest and public taxation and now maintained by either private bequest or public taxation, open to all of the people of said township, city or incorporated town, no tax shall be levied for the purpose of maintaining any library in said township, city or town which shall be organized under the provisions of this act.

SHIVELEY.

Which amendment was adopted.

Senator Shiveley offered the following Amendment No. 2 to Senate Bill No. 60:

MR. PRESIDENT:

I move to amend Senate Bill No. 60 by adding to the end of section 22 thereof the following: "*Provided*, That nothing in this act shall be construed to repeal or in anywise modify or amend an act entitled an act authorizing Township Trustees to lay a tax for the increase and maintenance of libraries established by private donation and for the purchase and improvements of real property for such libraries, approved March 11, 1895, so far as the same relates to any library now in existence and operating thereunder.

SHIVELEY.

Which amendment was adopted and the bill was ordered engrossed.

Senator Mull called up Senate Bill No. 416.

Which was read a second time by title and ordered engrossed.

Senator New called up Senate Bill No. 258.

Which was read a second time by title and ordered engrossed.

Senator O'Brien called up Senate Bill No. 379.

Which was read a second time by title and ordered engrossed.

Senator O'Connor called up Senate Bill No. 349.

Which was read a second time by title and ordered engrossed.

Senator Patten called up Senate Bill No. 412, which was read a second time by title.



Senator Early offered the following amendment to Senate Bill No. 412:

MR. PRESIDENT:

I move to amend Senate Bill No. 412 as follows: Strike out the word "ten" in line 5 of section 3 and insert in lieu thereof the word "seven."

EARLY.

Which amendment was adopted and the bill ordered engrossed.

Senator Phares called up Senate Bill No. 363, which was read a second time by title and ordered engrossed.

Senator Houghton called up his motion on the reconsideration of House Bill No. 36.

Which motion prevailed.

Senator Ellison moved that the roll be now called for House bills on second reading.

Which motion prevailed.

Senator Alexander called up Engrossed House Bill No. 87.

Which was read a second time by title, and passed to third reading.

Senator Early called up Engrossed House Bill No. 142.

Which was read a second time by title and passed to third reading.

Senator Ellison called up Engrossed House Bill No. 120.

Which was read a second time by title.

Senator Ellison offered the following amendment to Engrossed House Bill No. 120:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 120 by inserting as section 5 these words:

SEC. 5. The Board of Managers of the Indiana Reformatory shall be entitled, after April 1, 1897, to all the benefits herein

granted to the Board of Control of the Prison South, and the Superintendent of such Reformatory shall, after that date, perform the duties herein imposed on the Warden of such Prison South.

And that section 5 be renumbered as section 6.

ELLISON.

Which amendment was adopted and the bill passed to third reading.

Senator Gilbert called up Engrossed House Bill No. 245.

Which was read a second time by title and passed to third reading.

Senator Gochenour called up Engrossed House Bill No. 199.

Which was read a second time by title and passed to third reading.

Senator Goodwine called up Engrossed House Bill No. 277.

Which was read a second time by title.

Senator Hubbell offered the following amendment to Engrossed House Bill No, 277:

MR. PRESIDENT:

I move to amend Substitute House Bill No. 277 by inserting after the word "State," in line 4 of section 1 of the printed bill, the following words:

Which has not taken control of the public schools, but which are now under the control of the township trustee in which such town is located.

Also:

By inserting after the word "be," in line 7 of section 1 of the printed bill the following words:

"And continue."

HUBBELL.

Which amendment was adopted and the bill passed to third reading.

Senator Hawkins called up Engrossed House Bill No. 190, which was read a second time by title and passed to third reading.

Senator Holler called up Engrossed House Bill No. 290, which was read a second time by title.

Senator Ellison offered the following amendment to Engrossed House Bill No. 290 :

MR. PRESIDENT :

I move to amend Engrossed House Bill No. 290 by striking out the words "all cases," in line 2 of section 1, and insert in lieu thereof the words "no case shall."

ELLISON.

Senator Horner called up Engrossed House Bill No. 36, which was read a second time by title.

Senators Kerns and Phares requested a leave of absence.

Which request was granted.

Senator Holler introduced Senate Bill No. 448, entitled :

A bill for an act requiring railroad companies to make safe their rights of way, bridges and culverts, at places where improvements of water courses are made by companies or associations formed to protect lands from overflow.

Read first time and referred to Committee on County and Township Business.

Senator Hubbell called up Engrossed House Bill No. 245.

Which was read a second time by title and passed to third reading.

Senator Houghton called up Engrossed House Bill No. 196.

Which was read a second time by title and passed to third reading.

Senator Hugg called up Engrossed House Bill No. 495.

Which was read a second time by title and passed to third reading.

Senator Humphreys called up Engrossed House Bill No. 189.

Which was read a second time by title and passed to third reading.

Senator McCord called up Engrossed House Bill No. 486.

Which was read a second time by title and passed to third reading.

Engrossed House Bill No. 231 was called up by Senator Mull.

The bill was read a second time by title and passed to third reading.

Senator Newby called up Engrossed House Bill No. 209.

Which was read a second time by title and passed to third reading.

Engrossed House Bill No. 144 was called up by Senator Nusbäum.

The bill was read a second time by title and passed to third reading.

Senator O'Brien called up Engrossed House Bill No. 224.

Which was read a second time by title and passed to third reading.

Senator New called up Engrossed House Bill No. 275.

Which was read a second time by title and passed to third reading.

Senator O'Connor called up Engrossed House Bill No. 249.

Which was read a second time by title and passed to third reading.

Senator Shiveley moved that Engrossed House Bill No. 406 be made ready for second reading.

The motion was lost.

Senator Newby moved to recommit House Bill No. 406 to the Committee on Judiciary.

Which motion was lost on a division of 4 in the affirmative to 8 in the negative.

Senator Drummond moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## MONDAY MORNING.

FEBRUARY 22, 1897.

The Senate convened at 10 o'clock with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by Rev. Dr. Orcutt.

In commemoration of the anniversary of the birthday of George Washington the song "America" was sung by the Senate.

The Journal was ordered read, but after a portion of the same had been read the further reading was dispensed with on motion of Senator Early.

Senator Early introduced Senate Bill No. 449, entitled:

A bill for an act for the protection of human life, prohibiting theft of electricity or the use of any current of electricity obtained unlawfully, prohibiting any person to tap, cut, change, alter, extend, remove, interfere with, connect, reconnect, render unserviceable any direct or alternating current, service wire, trolley wire, span wire, guy, guy wire, feed wire, meter, switch, transformer, condenser, cut-out, insulator, lamp, globe, carbon,

pole, pier, abutment, building, crosstie, rail or any of the property, machinery or appliance of any person, company, corporation or association owning, operating or using any plant for the purpose of furnishing to consumers, or operating electric light, electric heat, electric power or electric energy, appliances or machinery without first procuring from said person, company, corporation or association a written permit so to do, and fixing a penalty for the violation thereof, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Hawkins, by request, introduced Senate Bill No. 450, entitled :

A bill for an act making specific appropriations in favor of Fred H. Harting for sprinkling done in 1895 in front of State grounds in the city of Indianapolis.

Read first time and referred to the Committee on Claims and Expenditures.

The roll was called for the reports of standing committees.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 187, introduced by Mr. Rifenburg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Gostlin moved that the Constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title, considered engrossed, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Bobilya, Bozeman, Culbert, Duncan, Early, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Connor, Patten, Phares, Schneck, Self, Shea, Shiveley, Watson, White and Wood. Total, 36.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called :

Those voting in the affirmative were :

Senators Bobilya, Bozeman, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston of Dearborn, LaFollette, Leech, McCord, Mull, New, Newby, O'Connor, Patten, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred House Bill No. 540, introduced by Mr. Linck, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Shiveley moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title, and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called :

Those voting in the affirmative were :

Senators Alexander, Bobilya, Bozeman, Collett, Culbert, Duncan, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, LaFollette, Leich, McCord, New, Newby, O'Connor, Patten, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 35.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage :

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Bobilya, Bozeman, Collett, Culbert, Duncan, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Connor, Patten, Phares, Schneck, Self, Shea, Shiveley, Watson, White, Wood. Total, 36.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.



Senator Duncan, Chairman of the Committee on Education, made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred House Bill No. 496, introduced by Mr. Blankenship, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Hubbell moved that the constitutional rule requiring that bills be read on three several days be suspended, that Engrossed House Bill No. 496 be read a second time by title, and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Bczeman, Duncan, Early, Ellison, Goar, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, New, Shea, Wood. Total, 18.

Those voting in the negative were :

Senators Bobilya, Collett, Culbert, Gochenour, Leich, McCord, Mull, Newby, Nusbaum, Patten, Phares, Schneck. Total, 12.

So the constitutional rule was not suspended.

Senator Hubbell moved that the Senate adjourn.

Which motion did not prevail.

Senator O'Brien asked that Senator Stroup be excused and the request was granted.

Senator McCord, Chairman of the Committee on Mines and Manufactures, made the following report :

MR. PRESIDENT :

Your Committee on Mines and Manufactures, to which was referred Senate Bill No. 303, introduced by Senator Horner,

has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the following bill be substituted, and that the same do pass.

McCord,  
Chairman.

Senate Bill No. 303:

A bill for an act to amend sections five and seven of an act entitled an act to regulate the weighing and screening of coal mined in this State under contract for payment by the ton or other quantities, the same to be weighed before being screened, in force June 3, 1891, and being section 5480f and section 5480h of Horner's Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That section 5 of the above entitled act, the same being section 5480f of Horner's Revised Statutes of 1896, be and the same is hereby amended to read as follows:

SEC. 5. No screen used in the screening of coal at the mines in the State of Indiana shall be of greater superficial area than seventy-two feet. The space between the bars shall be not more than one inch where diamond bars are used, and not more than one and one-fourth inches where flat bars are used. The pitch of such screens shall be such as to allow the coal to run over freely without artificial aid, without brakes or obstructions between the dumps and the car, with stays or fastenings crossways underneath the bars not less than three feet apart to hold the bars in place.

SEC. 2. That section 7 of said act, the same being section 5480h of Horner's Revised Statutes of 1896, be and the same is hereby amended to read as follows:

SEC. 7. That any owner, operator, agent, lessee, superintendent or bank boss, who shall violate the provisions of section five (5) or six (6) of this act shall upon conviction thereof be fined in any sum not less than one hundred dollars (\$100) for each and every day during which such a violation shall continue.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 431, introduced by Senator Ball, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 396, introduced by Senator Schneck, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 403, introduced by Senator Johnson of Madison, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Mull, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 392, introduced by Senator LaFollette, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

MULL,  
Chairman,  
SELF,  
LEICH,  
BOBILYA,  
HOGATE.

Senators Holler and Rinear, members of the Committee on Finance, made the following report:

MR. PRESIDENT:

A minority of your Committee on Finance, to which was referred Senate Bill No. 392, introduced by Senator LaFollette, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

C. HOLLER,  
JOHN W. RINEAR.

Senator Shiveley moved that Senate Bills Nos. 391 and 392 be printed.

The motion prevailed.

Senator Hawkins moved that the regular order of business be suspended and that House Bill No. 441 be taken up for consideration.

The motion prevailed.

Senator Hawkins moved that the time of debate on House Bill No. 441 be limited to fifteen minutes on a side.

The motion prevailed.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bozeman, Culbert, Duncan, Early, Gilbert, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Self, Shiveley, Watson, White, Wood. Total, 30.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Ellison, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Shea. Total, 12.

Senators Sweeney and Collett being paired.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hogate moved that the Senate adjourn.

The motion prevailed, and the Senate adjourned.

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## MONDAY AFTERNOON.

FEBRUARY 22, 1897.

The Senate was called to order at 2 o'clock P. M. with Lieutenant Governor Haggard in the chair.

Senator Hubbell called up House Bill No. 111.

The bill was read a second time by title and passed to third reading.

Senator Watson called up Senate Bill No. 358.

The bill was read a second time by title and ordered engrossed.

Senator Nowby called up Senate Bill No. 422.

The bill was read a second time by title and ordered engrossed.

Senator Hugg called up Senate Bill No. 442, and moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Campbell, Collett, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Hawkins, Hoggate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnson of Dearborn, Kerns, Leich, McCord, Mull, New, Nusbaum, O'Brien, Phares, Rinear, Schneck, Shea, Shiveley, White, Wood. Total, 35.

Those voting in the negative were:

Senators Culbert and Duncan. Total, 2.

So the constitutional rule was suspended, the bill was read a second time by title and considered engrossed, read a third time by sections and put upon its passage.

Senator Gochenour made the following motion:

MR. PRESIDENT:

I move that the bill be referred to a committee of one (the author) with instructions to strike out the emergency clause.

GOCHENOUR.

Senators Shiveley and Hugg demanded the ayes and noes on this motion.

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Early, Ellison, Goar, Gochenour, Gostlin, Hawkins, Holler, Horner, Houghton, Hugg, Johnson, Johnston, Kerns, Leich,

McCord, Mull, O'Brien, O'Connor, Schneck, Self, Shea, Watson, White. Total, 29.

Those voting in the negative were :

Senators Alexander, Duncan, Gilbert, Goodwine, Hogate, Hubbell, Humphreys, New, Newby, Nusbaum, Patten, Rinear, Shiveley, Wood. Total, 14.

So the motion prevailed.

Senator Bobilya moved that the Doorkeeper be instructed to bring in the absent Senators.

Which motion prevailed.

Senator Watson moved that Senate Bill No. 442 be made a special order for 2 o'clock Tuesday.

On this motion the ayes and noes were demanded by Senators Hugg and Campbell.

The roll was called.

Those voting in the affirmative were :

Senators Bozeman, Collett, Culbert, Goar, Goar, Gochenour, Gostlin, Hogate, Holler, Johnson, Johnston, Leich, McCord, Newby, O'Brien, Schneck, Watson, Wood. Total, 17.

Those voting in the negative were :

Senators Alexander, Ball, Bobilya, Campbell, Duncan, Early, Gilbert, Goodwine, Hawkins, Horner, Houghton, Hubbell, Hugg, Humphreys, Kerns, Mull, New, Nusbaum, O'Connor, Patten, Rinear, Self, Shea, Shiveley, White. Total, 25.

So the motion was lost.

Senator Hugg, a committee of one, to whom was referred Senate Bill No. 442, with instructions to amend, made the following report :

MR. PRESIDENT :

Your committee of one, to whom was referred Senate Bill No. 442, with instructions to make specific amendments, reports that he has amended the bill according to instructions, and herewith returns the same for the further action of the Senate.

HUGG.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Early, Gilbert, Goar, Goehenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Conner, Patten, Rinear, Schneck, Self, Shea, Shiveley, Watson, White, Wood. Total, 40.

Senator Duncan voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Hugg made the following motion:

MR. PRESIDENT:

I move that the title of Senate Bill No. 442 be amended by striking out the provisions for an emergency clause.

HUGG.

Which motion prevailed and the title as amended was ordered to stand as the title of the act.

Senator Humphries called up Senate Bill No. 195.

The bill was read a third time by sections.

Senator Horner made the following motion:

MR. PRESIDENT:

I move to refer Senate Bill No. 195 to its author, with instructions to amend section 1 of Senate Bill No. 195, by adding at the beginning of section one the words "Section 1."

HORNER.

Which motion prevailed.



Senator Horner, a committee of one to which was referred Senate Bill No. 195, with specific instructions to amend, made the following report:

MR. PRESIDENT:

Your committee of one has amended Senate Bill No. 195 in accordance with instructions, and return the same to the Senate for its further action.

HORNER.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerna, Leich, McCord, Mull, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shea, Shiveley, Watson, White. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 16 and 90, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

I am directed by the House to herewith return to the Senate Engrossed House Bill No. 483 for the reason that said bill does not show from the endorsement thereon that the Senate has

passed the same, and for the further reason that the accompanying amendments by the Senate thereto are not engrossed, as required by the rules, which rules require amendments to bills originating in either branch of the General Assembly to be engrossed.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to return to the Senate a resolution adopted by the Senate for the reason that the said resolution is neither a concurrent resolution or a joint resolution, but simply a resolution of the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Ellison offered Senate Resolution No. 44, as follows :

MR. PRESIDENT :

WHEREAS, There has been an error discovered in Senate Bill No. 117, relating to the time when the same shall take effect; and

WHEREAS, Said bill is now in the hands of the Speaker of the House of Representatives; therefore be it

*Resolved*, That the Speaker of the House be requested to return said bill to the Senate for its further consideration.

ELLISON.

Which resolution was adopted.

Senator Johnson of Madison called up Senate Bill No. 60.

The bill was read a third time by sections and put upon its passage.

Senator Hugg was called to the chair to preside at 3:20.

Lieutenant Governor Haggard resumed the chair at 3:30.

The question being, Shall Senate Bill No. 60 pass?

The roll was called.

Those voting in the affirmative were :

Senators Bozeman, Duncan, Ellison, Goar, Goodwine, Horner, Houghton, McCord, Phares, Shea. Total, 10.

Those voting in the negative were :

Senators Alexander, Ball, Bobilya, Campbell, Culbert, Drummond, Gochenour, Gostlin, Hawkins, Hogate, Holler, Hugg, Humphreys, Johnson, Johnston, Kerns, Leich, Mull, New, Nusbaum, O'Brien, Patten, Rinear, Schneck, Self, Shiveley, Watson, White, Wood. Total, 29.

So the bill failed to pass.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 21 and 185, introduced by Senators Phares and Newby, and has compared the same with the engrossed bills, and finds that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Ball moved that the Committee on Enrolled Bills be increased in number from three to five.

The motion prevailed, and the Lieutenant-Governor named Senators Horner and Mull as the new members of the committee.

Senator Johnston of Dearborn called up Senate Bill No. 190.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Gilbert, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg,

Humphreys, Johnson, Johnston, Kerns, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Watson, White, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Kerns called up Senate Bill No. 191.

The bill was read a third time.

Senator Shiveley made the following motion:

MR. PRESIDENT:

I move to refer Senate Bill No. 191 to its author, with instructions to amend the same by inserting the following words after the word "services," in line 5 of section 3 of said bill, to wit: "not exceeding \$2 per day."

SHIVELEY.

Which motion prevailed.

Senator Collett, a committee of one, to which was referred Senate Bill No. 191, with specific instructions, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Senate Bill No. 191, introduced by Senator Collett, has amended said bill in accordance with instructions, and submits the same for the further action of the Senate.

M. W. COLLETT.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bozeman, Collett, Culbert, Duncan, Ellison, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Hugg, Johnson of Madison, Kerns, LaFollette, New, Newby, O'Brien, Phares, Schneck, Shiveley, White, Wood. Total, 24.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Drummond, Goodwine, Houghton, Humphreys, Johnston of Dearborn, Leich, Mull, Nusbaum, O'Connor, Patten, Rinear, Self, Watson. Total, 16.

So the bill failed to pass.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 176, 178, 227, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 241, 74, 300, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Engrossed House Bill No. 241, entitled :

A bill for an act appropriating money for the payment of the claim of John R. Kennington on account of sweeping the roadway of Pennsylvania street in front of the University Park, Blind Asylum Park, and Blind Asylum grounds, and vacated street belonging to said grounds, and sprinkling the roadway of State Avenue in front of the Deaf and Dumb Asylum in the city of Indianapolis, and declaring an emergency.

Read first time and referred to the Committee on Claims and Expenditures.

Engrossed House Bill No. 74, entitled :

A bill for an act to amend section fourteen (14) of an act entitled an act touching the relation of guardian and ward, and designated as section 2528 of the Revised Statutes of 1881, authorizing guardians to mortgage real estate of their wards in certain cases, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

**Engrossed House Bill No. 800, entitled :**

**A bill for an act fixing the venue of the offense of criminal provocation.**

**Read first time and referred to the Committee on Judiciary.**

**Senator LaFollette called up Senate Bill No. 390.**

**The bill was read a third time by sections and put upon its passage.**

**The question being, Shall the bill pass?**

**The roll was called.**

**Those voting in the affirmative were :**

**Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Watson and White. Total, 41.**

**None voting in the negative.**

**So the bill passed.**

**The question being, Shall the title of the bill stand as the title of the act?**

**Senator LaFollette moved that the title be amended by adding thereto the words "and declaring an emergency."**

**The motion prevailed, the title was amended accordingly, and the title as amended was ordered to stand as the title of the act.**

**Senator Shiveley was called to the chair to preside at 4:07.**

**Senator Leich called up Senate Bill No. 94.**

**The bill was read a third time by sections and put upon its passage.**

**The question being, Shall the bill pass?**

**The roll was called.**

Those voting in the affirmative were :

Senators Alexander, Ball, Bozeman, Culbert, Early, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, Patten, Phares, Schneck, Shea, Shiveley, Watson, White and Wood. Total, 32.

Those voting in the negative were :

Senators Bobilya, Campbell, Collett, Drummond, Duncan, Humphreys, Johnson of Dearborn, O'Connor and Rinear. Total, 9.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator McCord called up Senate Bill No. 198, and he moved that Engrossed House Bill No. 206 be substituted for the said Senate Bill No. 198.

The motion prevailed.

Engrossed House Bill No. 206 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Hawkins, Hogate, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Watson, White and Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Nusbaum moved that the Senate adjourn.

Which motion did not prevail.

Senator Mull called up Senate Bill No. 416.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Watson, White, Wood. Total, 39.

Senator Collett voting in the negative.

And so the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator New called up Senate Bill No. 242.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bozeman, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Self, Shiveley, Watson, White, Wood. Total, 31.



Those voting in the negative were :

Senators Bobilya, Campbell, Drummond, Ellison, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Pat-ten, Rinear, Shea. Total, 12.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to herewith return Senate Bill No. 117, as per request of the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move to reconsider the order by which the title to Substitute Senate Bill No. 117 was declared to be the title of the act.  
ELLISON.

Which motion prevailed.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move to reconsider the vote passing substitute Senate Bill No. 117.

ELLISON.

Which motion prevailed.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move to recommit Substitute Senate Bill No. 117 to its author with instructions to strike out section 18, and insert in lieu thereof these words :

Section 18. Whereas an emergency exists for the speedy taking effect of this act, and that the people of this State should know the provisions thereof, therefor an emergency is declared, and this act shall be in force from and after the first

day of April, 1897, and it is hereby made the duty of the Secretary of State to transmit a true copy of this act to the Clerk of each Circuit and Criminal Court in this State on or before the 15th day of March, 1897.

ELLISON.

Which motion prevailed.

Senator Hawkins called up the motion he had made a few days previous, to reconsider the vote by which Senate Bill No. 94 failed to pass.

And the motion prevailed on a division of 24 in the affirmative to 16 in the negative.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 185, 21, 5, 2, 339, 340, 341, and the same are herewith returned for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

On motion of Senator Hubbell the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

J. W. EGNEW,  
Assistant Secretary of the Senate.

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## TUESDAY MORNING.

FEBRUARY 28, 1897.

The Senate convened at ten o'clock, with Lieutenant-Governor Haggard in the chair.

The Journal of yesterday was ordered read, but after the Assistant Secretary had read a portion of the same, the further reading was dispensed with, on motion of Senator Hugg.

Senator Horner made the following motion :

MR. PRESIDENT :

I move to amend the title of Senate Bill No. 195, by inserting the word "twelve" before the word "fourteen" in second line of the title, and the numbers 5480m and 5480o before the figures 5480r and the figures 5480y after the figures 5480r.

HORNER.

Which motion prevailed.

Senator Shiveley moved that Senate Bill No. 406, be advanced to second reading.

The motion prevailed.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 448, introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 446, introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 204 and 106, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 114, 157, 217, 104, 237, 542, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 114, entitled :

A bill for an act to amend section 11 of an act of the General Assembly of the State of Indiana, entitled "An act concerning taxation, repealing all laws in conflict therewith and declaring an emergency," approved March 6, 1891, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 157, entitled :

A bill for an act to amend section 1 of "An act to require railroad corporations, companies or persons operating within the State of Indiana to give notice at stations whether passenger trains are on schedule time or not, and affixing a penalty for a violation of the provisions of this act," approved March 9, 1889.

Read first time and referred to the Committee on Railroads.

Engrossed House Bill No. 217, entitled :

A bill for an act concerning taxation for turnpike and gravel road purposes, repealing all laws in conflict with this act and declaring an emergency.

Read first time and referred to the Committee on Roads.

**Engrossed House Bill No. 104, entitled :**

**A bill for an act providing for the election of Township Trustees, fixing the term of office and when same shall begin, requiring a Township Trustee to reside within the township for which he is elected while holding office and repealing all laws in conflict therewith.**

**Read first time and referred to the Committee on County and Township Business.**

**Engrossed House Bill No. 237, entitled :**

**A bill for an act to amend an act approved May 4, 1852, being section 1090, Revised Statutes of 1881.**

**Read first time and referred to Committee on Judiciary.**

**Engrossed House Bill No. 542, entitled :**

**A bill for an act concerning Building and Loan Associations; prescribing the duties of certain officers therein named; providing penalties for the violation of the provisions of this act, and repealing all laws and parts of laws in conflict therewith.**

**Read first time and referred to the Committee on Building and Loan Associations.**

**Senator Mull, Chairman of the Committee on Finance, made the following report :**

**MR. PRESIDENT :**

**Your Committee on Finance, to which was referred Senate Bill No. 445, introduced by Senator Leich, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be printed.**

**MULL,  
Chairman.**

**Which report was concurred in.**

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 434, introduced by Senator Horner, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER,  
Chairman.

Which report was concurred in.

The Joint Committee appointed to investigate the claim of the State of Indiana against the Vandalia Railroad Company, made the following report by Senator LaFollette:

*To the Senate and House of Representatives of the General Assembly of the State of Indiana:*

Your joint committee, duly appointed in pursuance to the resolution heretofore adopted by the General Assembly in reference to the claim of the State of Indiana against the "Vandalia" Railroad Company, begs leave to report that it has had said matter under consideration at divers meetings, and, with such opportunity and short time as it has been able to devote to the matter, it finds substantially the following state of facts, to wit:

1. That said company is indebted to said State of Indiana in a large sum of money, if the construction as claimed by the State be put by the courts upon the charter of the company.

2. That this claim of the State is wholly unsecured, and evidenced merely by an open account, with no lien in any form against said company or its property.

3. That there are a number of other general creditors of said company holding unsecured claims against it, the amount in the aggregate of which is undetermined, but which it is believed will be not less than the claim of the State.

4. That said company has a bonded mortgage indebtedness of from two and a quarter to two and a half millions of dollars, secured by liens upon its property.

5. That the total assets of said company are estimated to have a fair market value of about four million dollars, and covered by said first mortgage debt aforesaid.

6. That said company is believed to be insolvent at the present time, and unable to liquidate all its bonded and general debts.

7. That said company at the present time is in the hands of a receiver, by virtue of appointment of the United States Circuit Court, and any claim which the State has will have to be realized through that tribunal by filing said claim for adjudication in common with any and all other claims which may be asserted against said company.

8. That said claim, when so adjudicated in said court, can only be realized upon to the extent that funds may be realized from the assets of said company, to be applied pro rata upon adjudicated general debts after the liquidation of said bonded debt in full.

9. That the Pennsylvania Railroad Company is a heavy stockholder of said "Vandalia Company" and owns nearly a controlling interest in its stock; and in the event the State should establish its claim in the Courts, and such claim could not be compromised before sale, the State would probably be forced to become a bidder at the sale of said road in order to protect its claim, and any purchase so made by the State would be either subject to the bonded indebtedness or for cash or such terms of purchase as the Court might direct; but there might remain the possibility of the State being required to advance a large sum of money, to wit: About two and a half million dollars, to protect its claim, if no other bidder at such sale offered more than the amount of the bonded debt.

Your committee further reports that as a part of the work of the committee, in conjunction with the Attorney-General, two bills, covering preliminary matters were drafted and introduced and passed by the General Assembly, to wit: House Bills Nos. 579 and 596, and are now in the hands of the Governor.

There is one further bill relating largely to the expense of prosecuting said claim, and said bill is appended hereto and made a part of this report, and the attention of the Senators

and Representatives is invited to it concerning the section No. 5, authorizing employment by the Attorney-General of assistants, and the employment by them of experts and stenographers, the committee have to say that while no limit is placed upon the expense, it is the estimate of the Attorney-General that the cost of assistant attorneys will be not more than five thousand dollars, and that of experts and stenographers not more than five thousand dollars, which expense, in his judgment, will prosecute the claim to the point where the courts will say whether it is collectible at law or not.

As to the realization upon the claim when once established, the committee expresses no opinion, but calls attention to the foregoing statement of assets and preferred and general liabilities. As to the bill appended hereto, the committee submits it for the consideration of the General Assembly, and recommend that it do pass.

Respectfully,

HENRY C. PETTIT, Representative.  
 B. M. WILLOUGHBY, Representative.  
 CHARLES E. HENDERSON, Representative.  
 E. D. RANDOLPH, Representative.  
 W. H. EICHORN, Representative.  
 W. E. McCORD, Senator.  
 NEWTON W. GILBERT, Senator.  
 J. J. M. LAFOLLETTE, Senator.  
 CHAS. P. DRUMMOND, Senator.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 247, introduced by Senator White by request, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

GOAR,  
 Chairman.

Which report was concurred in.



Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 283, introduced by Senator Shiveley by request, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the following be substituted for said bill, and when so substituted that the same do pass.

CHARLES S. GOAR,  
Chairman.

Substitute for Senate Bill No. 283:

A bill for an act to amend sections 1, 6, 8, 9, 10 and 13 of an act entitled an act to establish a State Board of Health, defining its powers and duties, providing a system of registration, and report of vital and sanitary statistics in connection therewith, and prescribing the duties of certain officers in relation thereto, providing for town, city and county Boards of Health, prescribing penalties for the violation of provisions thereof, fixing an appropriation for the expenses of the same, repealing acts in conflict therewith, and declaring an emergency, and approved February 19, 1891, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That section number one of an act entitled an act to establish a State Board of Health, defining its powers and duties, providing a system of registration and report of vital and sanitary statistics in connection therewith, and prescribing the duties of certain officers in relation thereto, providing for township, town, city and county Boards of Health, prescribing penalties for the violation of the provisions thereof, fixing an appropriation for the expense of the same, repealing acts in conflict therewith, and declaring an emergency, in force February 19, 1891, be, and the same is, hereby amended so as to read as follows:

That a Board is hereby appointed, which shall be known as the State Board of Health, which shall consist of four members, who shall be appointed by the Governor within ten (10) days after the passage of this act, who shall be graduates of reputable medical colleges and have practiced medicine at least

five (5) years, two members of said Board of Health whose terms of office shall expire on the first day of March, 1899, and two whose terms of office shall expire on the first day of March, 1901. Thereafter two members shall be appointed biennially, who shall hold their offices for four years. Said Board, when so organized, shall be a body politic, with power to prosecute, sue and be sued in its own name in the courts of the State. Any vacancy in said Board of Health shall be filled by the Governor. Said Board of Health, when so appointed, shall appoint a Secretary, who shall not be one of their number, who shall have been a practicing physician of at least five (5) years' experience, and shall be the Health Officer of the State, and shall hold his office for four (4) years, who by virtue of his appointment shall be a member of said State Board of Health, whose salary shall be twelve hundred dollars (\$1,200) per year and necessary expenses incurred in the performance of his official duty.

SEC. 2. That section six (6) of said act be, and the same is, hereby amended to read as follows:

Section 6. The State Board of Health shall have the general supervision of the health and life of the citizens of the State. They shall study the vital statistics and endeavor to make intelligent and profitable use of the collected records of death and sickness among the people; they shall make sanitary investigation and inquiries respecting the causes of diseases, and especially of epidemics; the causes of mortality, and the effects of localities, employments, conditions, ingesta, habits and circumstances on the health of the people. They shall have power to regulate and prescribe the location of the plumbing, drainage, water supply, disposal of excreta, heating and ventilation of any public building or institution, and to inspect the same. They shall annually, on or before the first day of December, make a report to the Governor of their doings and investigations for the year ending October 31 next preceding, with such suggestions with regard to legislation as they may deem important in reference to the public health. They shall be invested with the police power of the State for the enforcement of such laws, rules and regulations and penalties as they may adopt for the preservation of the health of the inhabitants of

the State; and for the prevention and checking of contagious and infectious diseases; for the prevention and correction of the pollution of the rivers, water-courses, lakes and springs of the State, for the prevention and abatement of nuisances; for the declaration and establishment of quarantine against infection and contagion; for disinfecting premises, persons or personal property in case the same are infected, or have been exposed to infection, with any infectious or contagious disease dangerous to the public health; for the condemnation and destruction of any building or buildings or other property where the same has become so infected with the germs of any infectious or contagious malignant disease that the same can not be disinfected; for the inspection and regulation of dairies, and the condemnation of diseased milk cows after the destruction of such property as above provided for in this section, upon complaint filed before any justice of the peace of the county wherein such property is situated, such justice may appoint three disinterested resident householders and freeholders of said county, who shall immediately proceed to appraise said property so destroyed at its fair cash value and report said appraisement to said justice, who shall certify the same to the board of commissioners of such county, and such board of commissioners shall make an order, payable to the owner or owners of such property, for the amount of such appraisement so certified, which shall be paid out of the general fund of the county in the hands of the treasurer of such county. Said board shall have power to employ a competent person as State Bacteriologist and Chemist, whose duty it shall be to do all work, as State Bacteriologist and Chemist, required by the State Board of Health, and who may be removed by the State Board of Health for intemperance, incompetency or insubordination, and who shall hold said position as State Bacteriologist and Chemist for one (1) year unless removed by the State Board of Health as provided for. The State Board of Health shall fix the compensation of such person at a sum annually not to exceed fifteen hundred dollars (1,500). Such Board shall have power to adopt such health ordinances, by-laws, rules and regulations as may be necessary to carry into effect the powers herein conferred, and to enforce the same and provide penalties for the violation thereof.

**SEC. 3.** That section 8 of said act be amended to read as follows :

**Section 8.** The trustees of each town, the mayor and common council of each incorporated city, except where a regularly constituted board of health by ordinance of such city exists, or may hereafter be created, and the board of commissioners of each county shall constitute a board of health *ex-officio* for each town, city and county, respectively, of the State, whose duty it shall be to protect the public health by the removal of the causes of diseases, when known, and in all cases to take prompt action to arrest the spread of contagious diseases, to abate and remove nuisances dangerous to the public health and perform such other duties as may, from time to time, be required of them by the State Board of Health pertaining to the health of the people. Such local boards of health may be compelled to perform the duties imposed upon them by this act, and by the by-laws, rules and regulations of the State Board of Health, by mandate, by said State Board of Health in any court of competent jurisdiction in the county of such delinquent board. They shall annually, at their first meeting in June, elect a secretary, who shall be a reputable practicing physician, and who shall be the executive officer of the board, who shall serve as such health officer for one year from the 1st of January next ensuing his election. He shall receive such compensation from the town, city or county treasury, respectively, as the board electing him may determine. The records of the county board of health shall be kept at the county seat.

**SEC. 4.** The County Boards of Health shall appoint in each township a reputable physician who shall be township health officer for a term of two years. If not already informed in hygiene and sanitary science, he shall immediately so inform himself according to the requirements of the State Board. He shall have police powers in all matters pertaining to the public health, and shall be a deputy of the county health officer. He shall collect and keep an accurate record of all births, deaths and cases of contagious diseases which may occur outside of the cities and towns in that township, in the manner and form prescribed by the State Board of Health. He shall report monthly to the County Board of Health in the manner prescribed by the State Board. The township health officer shall

receive quarterly from the county funds ten cents for each birth, death and case of contagious disease reported. He shall receive two dollars for each quarantine established and maintained of such disease which shall be classed as to be quarantined by the State Board of Health. He shall receive ten cents for each burial permit issued, and shall make a full written report of every quarantine he established and maintained to the County Board, before the County Commissioners may issue a warrant upon the county funds for the amount demanded. The County Board of Health may remove the township health officer for intemperance, incompetence or insubordination.

**SEC. 5.** That section 9 of said act be amended to read as follows :

**Section 9.** The Board of Health of each county shall be subordinate to the State Board of Health, and it shall be the duty of the Secretary of such county boards, at least once in each quarter, to report such facts and statistics as may be required under instructions from and in accordance with blanks furnished by said State Board; and it shall be the duty of the secretaries of township, town and city boards of health to make like reports to the secretaries of the county boards in which such townships, towns and cities are situated, to which county boards of health such township, town and city boards are subordinate, and each subordinate to and under the control of the State Board. Such subordinates or local boards of health shall have power, by direction of and under instructions from the said State Board, to condemn polluted wells, springs, cisterns or other polluted water supplies within their respective city, town or county, and for the inspection, regulation and licensing of dairies within said city, township, town or county, and may condemn any diseased milk or milk cows; may cause nuisances to be abated; establish and maintain quarantine in and throughout their respective jurisdiction; and under instruction from the State Board may provide and prescribe the manner of disinfecting buildings, bedding, clothing, carpets and other property, and may provide for such purpose the necessary sterilizing or disinfecting apparatus or machinery or other methods equally as good. Such boards may, under instructions from the State Board, prescribe rules and regulations governing physicians, nurses and other attendants waiting upon persons

who may be afflicted with any infectious disease, and may take all such precautions as they may deem necessary to prevent the spread of such diseases. It shall be the duty of such county boards of health to promulgate and enforce all rules and regulations of the State Board of Health in their respective counties, which may be issued from time to time for the preservation of the public health, and for the prevention of epidemic and contagious diseases. And the secretary of any board of health who shall fail or refuse to promulgate and enforce such rules and regulations, and any person or persons, or the officers of any corporation, who shall fail or refuse to obey such rules and regulations, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars; and upon a second conviction the court or jury trying the case may add imprisonment in the county jail for any period not exceeding ninety days; and for such second offense such local or subordinate health board may be required, upon demand of the State Board of Health, to remove such offending officer.

SEC. 6. That section ten of said act be amended to read as follows :

Section 10. It shall be the duty of all physicians and accouchers in this State to report to the Secretary of the Board of Health of the township, town or city or county in which may occur all births and deaths which may occur under their supervision, with a certificate of the cause of death, and such correlative facts as may be required in the blank forms furnished as provided in this act. For a failure to comply with any of the requirements and provisions of this act the offending physician shall be liable to a fine of not less than five dollars (\$5.00) and not more than twenty-five dollars (\$25.00), and for a refusal to comply with any of the requirements and provisions of this act the offending physician shall be liable to have his license to practice medicine revoked by the Clerk of the Circuit Court of the county wherein the same is issued upon the recommendation of the State Board of Health. When any birth or death may occur, with no physician or accoucher in attendance, then such births or deaths shall be reported by the householder where or under whose observation such birth or death may occur, with the cause of death if such be known.

Any death coming under the jurisdiction or supervision of any Coroner shall be by him reported to the Secretary of the Board of Health of the town, township, city or county in which such death may occur, and such death so reported shall not be required to be reported to any other person. And it shall be the duty of the undertakers in each county in this State to report to the Coroner of their respective county all deaths or persons at whose burial such undertaker officiates. Such report shall contain the name, age and place of residence of the deceased. Such report shall be forwarded on the first of each month to the Secretary of the State Board of Health. And any undertakers who shall fail to make the report herein required shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding twenty-five dollars.

SEC. 7. That section thirteen of said act be amended to read as follows :

Section 13. The sum of six thousand dollars (\$6,000) per annum or so much thereof as may be necessary to pay salaries and other necessary expenses of the State Board of Health according to the provisions of this act is hereby appropriated.

SEC. 8. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

Senator Nusbaum called up Senate Bill No. 342.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Collett, Culbert, Duncan, Gilbert, Gochenour, Goodwine, Gostlin, Horner, Hubbell, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shiveley, Sweeney, Watson, White, Wood. Total, 33.



Those voting in the negative were :

Senators Bobilya, Campbell, Drummond, Early, Hawkins, Hogate, Houghton, Hugg, New, Stroup. Total, 10.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Newby called up Senate Bill No. 63.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 41.

Those voting in the negative were :

Senators Drummond, Patten, Self. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator O'Brien called up Senate Bill No. 305.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll-call was ordered.



Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hogate, Horner, Hubbell, Hugg, Johnston of Dearborn, Kerns, Leich, McCord, Newby, O'Brien, Phares, Shiveley, Wood. Total, 26.

Those voting in the negative were :

Senators Campbell, Collett, Drummond, Houghton, Humphreys, Johnson of Madison, LaFollette, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson. Total, 14.

So the bill passed.

Senator Shiveley moved to reconsider the vote by which Senate Bill No. 305 was passed.

The motion prevailed.

Senator Shiveley then made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 305 to its author, with instructions to amend the same by adding to the end of section one of said bill the following words: *Provided, further, That such autopsies shall not be had if objections be made within one day after the death by any relatives of the deceased.*

SHIVELEY.

The motion prevailed.

Senator Shiveley, a committee of one, to whom was referred Senate Bill No. 305, with specific instructions, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 305, with instructions to make specific amendments, begs leave to report that the bill has been amended according to instructions, and is herewith returned for further action of the Senate.

SHIVELEY.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, made the following report :

MR. PRESIDENT :

Your Committee on Roads, to which was referred Senate Bill No. 437, introduced by Senator Watson, by request, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

L. SCHNECK,  
Chairman.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, made the following report :

MR. PRESIDENT :

Your Committee on Roads, to which was referred Engrossed House Bill No. 128, introduced by Mr. Linck, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

SCHNECK,  
Chairman.

Which report was concurred in.

Senator Schneck and others, of the Committee on Roads, made the following report :

MR. PRESIDENT :

Your Committee on Roads, to which was referred Senate Bill No. 439, introduced by Senator Gochenour, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. SCHNECK, Chairman,  
BOZEMAN,  
SHEA,  
HOLLER.

Senator O'Brien and others, of the Committee on Roads, made the following report:

MR. PRESIDENT:

A minority of your Committee on Roads, to which was referred Senate Bill No. 439, introduced by Senator Gochenour, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

JAMES O'BRIEN,  
F. M. ALEXANDER.

The question being, Shall the minority report be substituted for the majority report?

A roll-call being demanded by Senators Alexander and Shea.

A roll-call was ordered.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Campbell, Drummond, Gilbert, Gostlin, Houghton, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, O'Brien, O'Conner, Rinear, Self, Stroup, Sweeney. Total, 20.

Those voting in the negative were:

Senators Bobilya, Bozeman, Collett, Culbert, Duncan, Gochenour, Hawkins, Hogate, Holler, Horner, Hugg, Johnston of Dearborn, New, Phares, Schneck, Shiveley, White, Wood. Total, 18.

So the minority report was substituted for the majority report.

Which report was concurred in.

Senate Bill No. 284 was taken up as the special order for 11 o'clock.

The bill was read a second time by title.

Senator Shea offered the following amendment No. 1:

MR. PRESIDENT:

I move to amend Senate Bill No. 284 by striking out all of section 4 after the word "taxation," in line 1, and inserting in lieu thereof the following: "All prepaid stock, paid up stock,

or stock paid in advance shall be considered, and held as credits of the members individually, and shall be listed by them and assessed against them for taxation as other property.

SHEA.

Which amendment was adopted.

Senator Shea offered amendment No. 2.

MR. PRESIDENT :

I move to amend Senate Bill No. 284 by inserting after the word "association," in line 2 of section 5 the following words, "doing business in more than one county."

SHEA.

Which amendment was adopted.

Senator Shea offered amendment No. 3 :

MR. PRESIDENT :

I move to amend Senate Bill No. 284 by inserting after the word "the" in line 9 of section 5 the words "order of the."

SHEA.

Which amendment was adopted.

Senator Shea offered amendment No. 4 :

MR. PRESIDENT :

I move to amend Senate Bill No. 284 by striking out the word "ten" in line 14 of section 6 and inserting in lieu thereof the word "twenty."

SHEA.

Senator Wood offered the following substitute for amendment No. 4 :

MR. PRESIDENT :

I move to strike out of lines 14 and 15 of section 6 the following words, "ten per centum of the amount of the delinquent installment of dues," and insert in lieu thereof the following words, "five cents per share when shares do not exceed \$100, and 20 per centum when shares exceed \$100."

WOOD.

Which substitute was not adopted.

The question then recurring on the original amendment No. 4.

The amendment was adopted.

Senator Shea offered the following amendment, No. 5:

MR. PRESIDENT:

I move to amend Senate Bill No. 284 by inserting the following as an additional section, numbered 10, and changing section 10 to section 11, and section 11 to section 12.

Additional section:

SEC. 10. Any building and loan association organized under the laws of this State, and doing business within the State, may, within one year after the passage of this act, if its Board of Directors deem it advisable, go into liquidation; and for the purpose of so doing may, at any regular or called meeting of its Board of Directors, adopt a resolution declaring that said association intends to go into liquidation and discontinue business as a building and loan association. A copy of such resolution, duly certified to by the President and Secretary of such association, under the seal thereof, shall be transmitted to the Auditor of State within ten days after the passage thereof, together with a fee of one dollar for the filing of the same in his office, and thereupon the Auditor of State shall issue his certificate reciting that such resolution has been filed in his office, and that such association is in liquidation. After the filing of such notice it shall not be lawful for such association to issue any stock or to loan or advance its moneys to its members or any other persons, but all of its income and receipts of said association in excess of the actual expenses of managing the same shall be applied to paying off the stock in said association upon which no loans have been made. The Board of Directors of such association in liquidation may adopt such rules and make such orders as shall be just and equitable for the sale and disposition of all property held by such association, the assessment of losses and for the division of the profits of such association. Any such association which may go into liquidation under the provisions of this section shall not be subject to any of the foregoing sections of this act, but its affairs shall be controlled and regulated by the laws in force before the passage of this act until its affairs are wound up.

SHEA.

Which amendment was adopted.

Senator Patten offered Amendment No. 6 to Senate Bill No. 284, as follows :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 284, section 5, line 19. Strike out the word "five" and insert the word "four."

PATTEN.

Which amendment was adopted.

Senator Houghton offered Amendment No. 7 to Senate Bill No. 284, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 284 by striking out section 5 thereof and renumbering sections to conform therewith.

HOUGHTON.

Senator Ball offered the following substitute for Amendment No. 7 :

MR. PRESIDENT :

As a substitute for the amendment of Senator Houghton, I move that all the words in section 5 up to and including Auditor of State, in line 14, be stricken out.

BALL.

On motion of Senator Hawkins the Senate adjourned.

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## TUESDAY AFTERNOON.

FEBRUARY 23, 1897.

The Senate reconvened at 2 o'clock p. m. with Lieutenant-Governor Haggard in the chair.

Senator Gilbert moved that the regular order of business be suspended so that the consideration of Senate Bill No. 421 might be taken up.

Senator Johnson of Madison introduced Senate Bill No. 451, entitled :

A bill for an act to legalize certain settlements heretofore made by Boards of County Commissioners with County Treasurers, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Gilbert called up Senate Bill No. 421.

The bill was read a second time by title and ordered engrossed.

Senator Humphreys called up Senate Bill No. 338.

The bill was read a second time by title and ordered engrossed.

Senator Early moved to suspend the regular order so that the consideration of Senate Joint Resolution No. 4 might be taken up.

The motion prevailed.

Senator Early then called up Senate Joint Resolution No. 4.

The resolution was read a second time.

Senator Hogate offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Joint Resolution No. 4 as follows :

Add at the end of section 2 the following words :

“Any vacancy caused by death or resignation shall be filled by the Governor, as is now provided by the Constitution ; but any increase in the number of judges shall not be filled by appointment, but by election at the next general election after any increase is ordered.”

Which amendment was adopted.

Senator Early moved that the constitutional rule requiring that bills be read on three several days be suspended, that the resolution be considered engrossed, the resolution read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators, Alexander, Ball, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, McCord, New, Newby, Nusbaum, O'Brien, O'Conner, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, Wood. Total, 89.

None voting in the negative.

So the constitutional rule was suspended.

The resolution was read a third time by sections and put upon its passage.

The question being, Shall the joint resolution pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, McCord, New, Newby, Nusbaum, O'Brien, O'Conner, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, Wood. Total, 87.

Senator Johnson of Dearborn voting in the negative.

So the joint resolution passed.

The question being, Shall the title of the joint resolution as presented to the Senate stand as the title of the joint resolution as passed.

It was so ordered.

Senator Hogate introduced Senate Bill No. 452, entitled:

A bill for an act to amend section one (1) of an act entitled "An act for the encouragement of agriculture, making an annual appropriation to the Indiana State Board of Agriculture for the payment of premiums, and declaring an emergency."



Approved March 7, 1895, repealing all laws in conflict therewith, and declaring an emergency.

Read a first time and referred to the Committee on Agriculture.

Senator O'Brien, by request, introduced Senate Bill No. 453, entitled:

A bill for an act to amend section two (2) of an act to amend section two (2), three (3) and five (5), approved March 9, 1895, of an act entitled an act defining who are persons of unsound mind and authorizing the appointment of guardians for such persons; defining the powers and duties of such guardians; declaring void the contracts of persons of unsound minds; and providing for their restraint when necessary, approved May 29, 1852, the same being sections 2545, 2546 and 2548 of the Revised Statutes of 1881, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Collett introduced Senate Bill No. 454, entitled:

A bill for an act providing for the conveyance to and from insane hospitals of insane females, providing for female attendants.

Read first time and referred to the Committee on Benevolent Institutions.

Senator Gostlin introduced Senate Bill No. 455, entitled:

A bill for an act directing the restoration to the Swamp Land Fund of certain sums of money received into the State Treasury from the sale of swamp lands and heretofore transferred to the general and other funds; and making a conditional appropriation of said funds and other funds in the State Treasury to aid in paying for the work of improving the Kankakee River.

Read first time and referred to the Committee on Swamp Lands and Drains.

The regular order of business was then resumed.

The question being, Shall the substitute of Senator Ball for Amendment No. 7 to Senate Bill No. 284 be adopted?

Senator Hubbell offered the following amendment to the substitute of Senator Ball for Amendment No. 7:

MR. PRESIDENT:

I offer the following amendment to the substitute of Senator Ball: That section five of the printed bill read as follows:

Section 5. Before any action shall be commenced in any court of this State for the appointment of a Receiver for any building and loan association, the plaintiff or plaintiffs shall apply first to the Auditor of State for an examination of such association, and shall give a bond securing to such association the full cost of said examination should the same show no cause for a proceeding for a Receiver. If upon such examination such association shall prove to be insolvent, or if the condition of such association shall be found to be such that the appointment of a Receiver is necessary to preserve the assets thereof and to protect the stockholders or creditors thereof, the said Auditor of State shall at once begin proceedings in the Circuit or Superior Court for the appointment of a Receiver for such association. If, upon such application to the Auditor of State, he shall refuse or neglect to make such examination, or, if he shall make such examination and fail or refuse to apply for the appointment of a Receiver when just cause therefor exists, then any stockholder or creditor of such association may file his complaint in any Circuit or Superior Court in the county where the principal office of such association is located for the appointment of a Receiver to wind up the affairs of such association, and no Receiver shall be appointed unless an application is first made to the Auditor of State, as in this section provided. And the Auditor of State shall receive for his services in making such examination the fees and mileage now provided by law.

HUBBELL.

Which amendment was not adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 125 and 511, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 125, entitled :

A bill for an act providing for the relocation of the county seat of Newton County, Indiana, regulating matters connected therewith, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 511, entitled :

A bill for an act to fix the terms of city officers, repealing all laws in conflict therewith.

Read first time and referred to the Committee on Judiciary.

The following message was received from the Governor :

INDIANAPOLIS, IND., February 23, 1897.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 5, a bill for an act regulating the arrest and surrender of fugitives from other States, etc.

Also :

Senate Enrolled Act No. 178, a bill for an act concerning the care and control of orphan and dependent children, etc.

Also :

Senate Enrolled Act No. 176, a bill for an act authorizing counties, cities, towns and townships to make donations to educational institutions, providing the means of raising money therefor, etc.

Also :

Senate Enrolled Act No. 227, a bill for an act fixing the time for holding court in the Fourth Judicial Circuit of the State of Indiana, describing the length of the terms thereof, and repealing all laws in conflict therewith, etc.

Also :

Senate Enrolled Act No. 340, a bill for an act to amend section 78 of an act entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population," etc.

Also :

Senate Enrolled Act No. 185, a bill for an act to amend sections 3 and 5 of an act approved March 6, 1891, entitled "An act concerning elections, providing penalties for the violation of the same," etc.

All of which have been duly deposited with the Secretary of State.

Respectfully,

CHARLES E. WILSON,  
Private Secretary.

To the Honorable President of the Senate.

Received in the Senate at 2:45 P. M., February 23, 1897.

The question recurring on the substitute of Senator Ball for amendment No. 7 to Senate Bill No. 284.

The substitute was not adopted on a division of 17 in the affirmative to 19 in the negative.

The question then being, Shall amendment No. 7, of Senator Houghton, be adopted?

The Chair being in doubt a division was ordered, and 23 Senators voted in the affirmative and 13 in the negative.

And the amendment was therefore adopted.

Senator Phares offered amendment No. 8 to Senate Bill No. 284, as follows:

MR. PRESIDENT :

I move to amend substitute Senate Bill No. 284 by adding thereto the following section: "In loaning the funds of any association, the aggregate expense to the borrower for interest, premium and dues shall not exceed 8 per cent. per annum, and that said bill be renumbered."

PHARES.

Which amendment was lost.

Senator Hawkins offered amendment No. 9 to Senate Bill No. 284, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 284 by adding to section 2 of said bill the following: "*Provided further*, That it shall be unlawful for any association to expend more than seven per cent. of the amount received by it for dues in any one year for the expenses of said association.

HAWKINS.

The following substitute for amendment No. 9 was offered by Senator Newby:

MR. PRESIDENT:

I move to substitute the following for amendment No. 9. I move to amend Senate Bill No. 284 by adding after the word "association," in line 11 of section two (2), the following words, to wit: "*And provided further*, That the expenses of operating and conducting the business and affairs of any such association for any one year shall not exceed four (4) per cent. of the sum collected from installments of dues upon the stock or such association during such year.

NEWBY.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 187, 540, 596 and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Shea offered the following amendment to the substitute of Senator Newby for Senator Hawkins's amendment No. 9.

MR. PRESIDENT:

I move the following amendment to the substitute of Senator Newby: That the word "five" be stricken out and the word "four" be inserted in lieu thereof.

SHEA.

Which amendment was adopted on a division of 19 in the affirmative and 16 in the negative.

The substitute of Senator Newby as amended by Senator Shea's amendment was adopted.

Senator Newby offered amendment No. 10 to Senate Bill 284:

MR. PRESIDENT:

I move to amend Senate Bill No. 284 by inserting the following as section 9:

Section 9. It shall be unlawful for any officer or officers of any such association operating two or more departments or series of stock of such associations to divert the assets belonging to any one of the departments, or the dues or other moneys received upon any one series of stock issued by such association, or to loan the moneys received upon any one series of stock to any other departments or series, and it shall be unlawful for the officers of any such association to give or loan the moneys received by one association to any other such association.

NEWBY.

Which amendment was not adopted, on a division of 15 in the affirmative to 19 in the negative.

Senator Horner offered the following amendment No. 11 to Senate Bill No. 284, as follows:

MR. PRESIDENT:

I move to strike out all of section four of Senate Bill No. 284, as amended by Senator Shea, and substitute therefor the following:

All building and loan associations shall be subject to taxation for the full amount of all assets on hand and funds paid in up to and including the first day of April of each year.

HORNER.

Senator Hawkins offered the following substitute for Amendment No. 11:

MR. PRESIDENT:

I offer the following as a substitute for Amendment No. 11:

I move to amend Senate Bill No. 284, as amended by motion of Senator Shea, by striking out section four (4) of said bill and inserting the following:

Section 4. For the purposes of this act paid-up stock shall be such stock as the owner shall have paid the full face value

thereof at the time of the subscription therefor. Prepaid stock shall be stock upon which the owner shall have paid any specific sum in advance at the time of subscription, leaving the balance necessary to mature the same to be paid by the dividends to be declared thereon by the association. All building and loan associations as such shall be exempt from taxation. Shares of stock on which loans have not been made or advanced by the association, which stock is paid up or prepaid, shall be considered and held as credits of the members individually and listed by them and assessed against them for taxation as other property.

HAWKINS.

Which substitute amendment was adopted.

Senator Shiveley was called to the chair at 3:40.

Senator Bobilya offered Amendment No. 12:

MR. PRESIDENT:

I move to amend Senate Bill No. 284 as follows: Strike out the word "three," in line 10 of section 2 of the printed bill, and insert the word "five."

BOBILYA.

The amendment was adopted.

Senator Johnson offered Amendment No. 13:

MR. PRESIDENT:

I move to amend section two of Senate Bill No. 284 by adding the following after the word "forfeiture," in line four: "And any part of all moneys advanced by a stockholder to cover the expense of making a loan, for which actual service has not been rendered, shall be returned to the said stockholder."

Which amendment was adopted.

Senator Haggard resumed the chair at 3:55.

Senator Johnson of Madison offered Amendment No. 14:

MR. PRESIDENT:

I move to amend Senate Bill No. 284 by adding to section two (2) the following: "*And provided further, That all earnings due each stockholder shall be credited on the pass-books at least semi-annually.*"

JOHNSON.

Senator Shea offered the following substitute for Amendment No. 14:

MR. PRESIDENT:

I move to substitute the following for the amendment of Senator Johnson: By adding to section two the following: *And provided further*, That all earnings due each stockholder shall be credited on the passbook at least once a year.

SHEA.

Which substitute was adopted and Amendment No. 14, as substituted, was then adopted.

Senator Hogate offered the following amendment No. 15:

MR. PRESIDENT:

I move to amend Senate Bill No. 284 as follows: Add the following as section 11, and renumber the sections:

Section 11. Every Building and Loan Association hereafter incorporated shall be styled "The ——— Building and Loan Association," according to the name adopted at its organization.

No such association hereafter organized shall adopt, take or use, in whole or in part, the name of any other building and loan association organized under the laws of this State at the time of its existence. Neither shall it adopt, take or use any name or part thereof, tending to indicate that it is under the management of the same officers as any other such association or any way connected with or related to any other such association. And it shall be unlawful for the Secretary of State to permit to be filed or to record any articles of incorporation containing any such name or part thereof as is herein prohibited. And if any two associations now incorporated shall have similar names, or names which in his judgment are liable to cause misunderstandings, the Secretary of State shall notify in writing the association last incorporated to change its name within 30 days from the receipt of said notice. And any association failing to comply with said notice, shall be subject to a penalty of fifty (\$50) dollars per day for each day after said 30 days that it fails and neglects to comply with said notice.

HOGATE.

Which amendment was adopted.



Senator Wood offered amendment No. 16 to Senate Bill No. 284 as follows :

MR. PRESIDENT :

I move to insert in line 5, section 6, after the word " fines," these words, " pro rata share of expenses."

WOOD.

Which amendment was adopted.

Senator Hogate offered Amendment No. 17.

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 284 by adding the following, to be known as section 12, and renumber the sections, to wit:

Section 12. It shall be competent and lawful for the borrower from such association to agree in writing upon a given rate of premium in addition to the interest to be paid upon such loan without bidding. All contracts heretofore made between any borrower and any such association for the payment of any premium, with or without any bidding, are hereby legalized. No premium heretofore contracted for without bidding, or to be contracted for under this section, shall be deemed usurious.

HOGATE.

Which amendment was adopted.

Senator Hogate offered Amendment No. 18 :

MR. PRESIDENT :

I move to amend Senate Bill No. 284 as follows: Amend section 11, as printed, as follows: " This act to take effect from and after the first day of July, 1897," and the bill renumbered.

HOGATE.

Which amendment was adopted.

Senator Gilbert offered Amendment No. 19 :

MR. PRESIDENT :

I move to amend section 2 of Substitute Senate Bill No. 284 by inserting after the word " forfeitures," in line 4 of section 2, and immediately preceding the amendment of Senator Johnson already adopted, the following words: " *Provided, That nothing*

herein contained shall prohibit the charging of a loan fee to a member, who shall make application for a loan from such association."

GILBERT.

Which amendment was adopted.

Senator Gilbert offered the following amendment, No. 20, to Senate Bill 284:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 284 by striking out the word "fifty," in line 7 of section 2, and inserting in lieu thereof the words "seventy-five,"

GILBERT.

Senator LaFollette offered the following amendment to Amendment No. 20, to Senate Bill No. 284.

MR. PRESIDENT:

I move to amend the amendment of Senator Gilbert by inserting in lieu of "seventy-five cents" the words "one dollar."

LAFOLLETTE.

Which amendment was lost.

The question recurring on the Amendment of Senator Gilbert.

The amendment was lost.

Senator Houghton offered Amendment No. 21:

MR. PRESIDENT:

I move to amend Senate Bill No. 284 by inserting after the word "find" in line 9 of section 6 the following: "*Provided*, That associations doing business on the termination serial plan may provide in their by laws in lieu of the contingent fund herein stipulated that any stockholder wishing to withdraw from such association may do so upon giving such notice as is herein provided to the Board of Directors when such withdrawing stockholder shall be entitled to receive the amount paid in upon the stock to be withdrawn, less all fines thereon, and that when the withdrawal occurs after the expiration of one year from the beginning of the series in which the stock to be withdrawn was issued, he shall receive in addition to the amount paid in, less fines, as aforesaid, at least legal interest on

each installment paid for on the date at which the same was payable and."

Houghton.

Which amendment was not adopted.

Senator Houghton offered the following amendment, No. 22 :

MR. PRESIDENT :

I move to amend Senate Bill No. 284 by adding at the end of section 6 the following :

*"Provided, further, That the provisions of this section relating to the negotiations of notes, bonds and mortgages shall not apply to notes, bonds and mortgages executed for money loaned to persons not members of the association."*

Houghton.

Which amendment was not adopted.

Senator Houghton offered Amendment No. 23 :

I move to amend Senate Bill No. 284 by adding at the end of section 6 thereof the following : "Or the Judge thereof in vacation."

Houghton.

Which amendment was not adopted.

Senator Houghton offered the following, Amendment No. 24, to Senate Bill No. 284 :

MR. PRESIDENT :

I move to amend Senate Bill No. 284 by striking out section 9 thereof.

Houghton.

Which amendment was adopted.

Senator Hugg offered Amendment No. 25 to Senate Bill No. 284, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 284 by inserting in line 8, in section 6, after the word "profits," the words "as have been previously declared."

Hugg.

Which amendment was adopted.

Senator Hugg offered Amendment No. 26:

MR. PRESIDENT:

I move to amend Senate Bill No. 284 by striking out the word "the" at the end of line 3, in section 3, and inserting in lieu thereof the word "each."

HUGG.

Which amendment was adopted.

Senator Patten offered the following, Amendment No. 27:

MR. PRESIDENT:

I move to amend Senate Bill No. 284, section 6, line 3, by striking out the word "three" and insert the word "two."

PATTEN.

Which amendment was not adopted.

Senator Shiveley offered the following, Amendment No. 28:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 284 by inserting after the word "furnish," in line one (1) of section three (3), the following words: "within thirty (30) days after its annual statement to the Auditor of State."

SHIVELEY.

Which amendment was adopted.

Senator Shiveley offered Amendment No. 29.

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 284 by striking out the words "membership fees" in the latter part of line 4 and the first part of line 5 in section 2.

SHIVELEY.

Senator Gilbert moved to reconsider the vote by which Senate Bill No. 401 was passed to engrossment.

On motion of Senator Gilbert the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

J. W. EGNEW,  
Assistant Secretary of the Senate.

## WEDNESDAY MORNING.

FEBRUARY 24, 1897.

The Senate convened at 10 o'clock, with Lieutenant-Governor Haggard in the Chair.

Prayer was offered by Rev. Dr. Neighbor, of Indianapolis.

The Journal of yesterday was ordered read.

After a portion of the same had been read the further reading was dispensed with on motion of Senator Early.

Senator Early introduced Senate Bill No. 456, entitled :

A bill for an act for the protection of human life, prohibiting the theft of steam heat or power, and the change, alteration, extension of service, or other pipe or attachment through which steam for heating or power purposes is furnished to consumer by any person, company, corporation or association, prohibiting the making of connections or reconnections with mains, variators and expansion joints, pipes or the turning on or off or interfering with the valves, meters or stop-cocks or connections used in furnishing steam heat or power of such person, company, corporation or association without their consent in writing, and prohibiting interference with the pipes, mains, meters, valves, stop cocks, wells or other appliances or machinery of any such person, company, corporation or association, and prohibiting the unlawful use and furnishing of steam for heating or power without the permission in writing of such person, company, corporation or association, and fixing a penalty for violation thereof, and declaring an emergency.

Read first time, and referred to the Committee on Judiciary.

Senator Early introduced Senate Bill No. 457, entitled :

A bill for an act to amend an act to amend section 92 of an act entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency," approved March 6th, 1891, and declaring an emergency, approved March 4, 1893, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Stroup introduced Senate Bill No. 458, entitled :

A bill for an act to amend section one (1) of an act entitled an act to amend section ten (10) of an act providing for voluntary assignments of personal and real property in trust for the benefit of creditors, and regulating the mode of administering the same, approved March 5th, 1859, approved February 17, 1893.

Read first time and referred to the Committee on Judiciary.

Senator Leich introduced Senate Bill No. 459, entitled :

A bill for an act to empower the Common Council of cities having more than fifty thousand (50,000) and less than one hundred thousand (100,000) population according to the last preceding United States census, to regulate the salaries of all elective and appointive officers, and to consolidate the departments and boards of said city, and providing for the regulation and licensing of persons engaged in business in said cities, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator Leich, by request, introduced Senate Bill No. 460, entitled :

A bill for an act to amend section 146 of an act entitled an act concerning the incorporation and government of cities having more than 50,000 and less than 100,000 population according to the last preceding United States census, and matters connected therewith, and declaring an emergency, approved March 3, 1893, as amended March 11, 1895.

Read first time and referred to the Committee on Cities and Towns.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 454, introduced by Senator Collett, has had the same under consideration, and begs leave to report the

same back to the Senate with the recommendation that said bill do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Rights and Privileges, made the following report:

MR. PRESIDENT:

Your Committee on Rights and Privileges, to which was referred House Bill No. 337, introduced by Mr. Sence, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Rights and Privileges, made the following report:

MR. PRESIDENT:

Your Committee on Rights and Privileges, to which was referred House Bill No. 97, introduced by Mr. Ryan, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Rights and Privileges, made the following report:

MR. PRESIDENT:

Your Committee on Rights and Privileges, to which was referred House Bill No. 181, introduced by Mr. Goddard, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 486, begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 386, introduced by Senator Horner, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 432, begs leave to report the same back to the Senate with the recommendation that same do pass.

Houghton,  
Chairman.

Which report was concurred in.

Senator Ellison made the following motion:

MR. PRESIDENT:

I move to recommit Engrossed Substitute Senate Bill No. 117 to Senator Holler, with instructions to amend the same by renumbering section 18 as section 19, and inserting as section 18 these words:



Section 18. It shall be the duty of said Board of Managers upon their taking possession of said prison and reformatory to notify the contractors who are employing the prisoners therein that if they, the contractors, desire, they may at any time within six months after April 1, 1897, by giving notice of their intention so to do, cancel the contracts by which they employ such prisoners, and said Board shall, within ten days after receiving such notice, formally release said contractor of all future liability and said contracts for the employment of the prisoners described therein. If, however, no such notice is given by said contractor then the change in the management of said prison shall be deemed to be of no injury or damage to such contractor.

ELLISON.

Which motion prevailed.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move that Engrossed Substitute Senate Bill No. 117 be referred to Senator Holler with instructions that the following words be added to section 17 :

*Provided, however,* That before making the payments in this section referred to, said Board shall receive the consent of the Governor of State so to do.

ELLISON.

The motion prevailed.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move to commit Engrossed Senate Bill No. 117, to Senator Holler, with instructions to amend the same by striking out the first fifteen words of the proviso, in section four, and insert in lieu thereof these words :

*Provided, however,* That it shall not be obligatory upon such Boards to remove any person who has less than nine months.

ELLISON.

The motion prevailed.

The motion of Senator Gilbert made yesterday to reconsider the vote on Senate Bill No. 401, was taken up for consideration, and the motion prevailed.

Senator Gilbert made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 401 be referred to its author, with instructions to substitute therefor the following :

Senate Bill No. 401 :

A bill for an act to provide for the better government, control, management and general supervision of the State Prison at Michigan City, Ind., providing for the appointment of a Board of Control for said prison and other matters properly connected therewith, fixing the terms of office of the members of said Board of Control, abolishing the office of Board of Prison Directors of the State of Indiana for the Prison North and the Prison South, repealing all laws in conflict herewith, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the office of Board of Prison Director of the State of Indiana for the Prison North and the Prison South is hereby abolished, and all persons occupying the office of member of said Board of Directors of said prisons are hereby removed, and the management, control and general supervision of said Prison North is hereby invested in a Board of Control for said Prison North, which shall hereafter be known as the Indiana State Prison, consisting of three members to be appointed by the Governor, who shall hold their respective office for three years and until their successors are elected and qualified, and in case of vacancy upon such Board, caused by death, resignation or removal the Governor shall fill such vacancy.

SEC. 2. No person shall be eligible to appointment on such board of control under the provisions of this act who is or has been a contractor in such prison, or is interested, either directly or indirectly, in any branch of business carried on in such prison, or who is a relative of, or has any business relations with, any such contractor who is in any way pecuniarily interested in any business carried on in, or connected with, said prison; and if any member of said board of control shall at any time become interested during his term of office, directly or indirectly, as aforesaid, he shall thereby vacate his office; and the Governor shall make due inquiry into the facts in reference to said matters, and if he shall determine that the

said member of said board has any such business relations with said prison, then he shall declare the office of said member of said board of control vacant and fill said vacancy as provided in this act. The person appointed to fill said vacancy, or any vacancy caused by death, resignation or removal, shall hold his office for the unexpired term only to which he may be appointed, and until his successor is appointed and qualified. All appointments by the Governor under this act shall be of men of known business fitness and capacity, probity and high character. The Governor shall remove any member of said board of control for cause, and in the order of removal he shall state the reason for such removal.

SEC. 3. Upon the taking effect of this act, the Governor shall appoint one member on such board of control to hold office until the 1st day of January, 1898; and one until the 1st day of January, 1899; and one until the 1st day of January, 1900; and the commission of each appointee shall state the time for which he is appointed.

SEC. 4. Such board of control shall be known and designated as the Board of Control of the Indiana State Prison, and it shall have all the powers and perform all the duties heretofore given and performed by the Board of Prison Directors and by the several directors of said prison. At the first meeting of said board of control the members of such board shall choose one of its number president thereof, and one secretary thereof, each of whom shall hold his office for one year and until his successor is elected and qualified by such board, and the selection of such president and secretary shall be certified by such board to the Auditor of State, to be by him properly entered of record. Before entering upon the duties of his office each member of said Board of control shall take and subscribe an oath to support the Constitution of the United States and the Constitution of the State of Indiana, to diligently, faithfully, honestly and impartially discharge the duties of said office, and that in any and every appointment and removal to be made by them of employes of said prisons they shall in no case and under no pretext appoint or remove any person because of and on account of any political feeling held by such employe or appointee, or for any cause or reason other than fitness or unfitness of such person

in their best judgment for the place to which he shall be appointed or from which he shall be removed, and said oath shall be recorded in a proper record in the office of State Auditor, and each of said members of said Board of Control shall execute a bond, payable to the State of Indiana, in the sum of \$10,000, with not less than two freeholder sureties thereon, to be approved by the Auditor of State, upon which bond the State of Indiana, or any citizen thereof having a right of action against such member of Board of Control by reason of any malfeasance or misconduct in office, shall have a right of action in any court of competent jurisdiction in this State, and any violation of the provisions of this act shall subject such offending member to removal, as provided herein. Should any member of said Board of Control fail, refuse or neglect to take the oath and file the bond herein required within ten days after notification of appointment, to be given in writing by the Auditor of State as directed by the Governor, such appointment shall lapse, and the Governor shall make another appointment as provided by this act.

SEC. 5. Upon the organization of such Board of Control hereby created, it shall have the sole control of the Indiana State Prison, located at Michigan City, and to that end such Board is hereby vested with all the power and authority now conferred by law upon the Director and Boards of Prison Directors of said prison; and in addition thereto the said Board is hereby authorized, directed and empowered to prepare and adopt from time to time such rules, regulations and by-laws for the government of said prison as they or a majority thereof may deem proper, with power to alter or amend the same at pleasure, which rules, regulations and by-laws shall be printed by the State Printer, and copies furnished to all officers and employes of said prison and other persons entitled to have the same, and for this purpose the said Board of Control shall adopt such rules and regulations touching the application, admission, promotion and removal and discharge of the officers and employes in said prison as said Board of Control may deem for the best and highest interests of the management and administration of said prisons: *Provided*, That said Board of Control shall, in the employment of Warden, and confirmation of appointments of guards, deputies, assistants and other employes, consider only the qualification and fitness of the persons

selected to fill such place, and no person shall be selected or employed to fill any of such positions or be removed therefrom on account of his political belief or affiliations, and only qualifications, character, merit and fitness shall be considered by such Board of Control in the selection, retention or removal of such officers and employes. All rules, regulations and by-laws adopted by the Board of Control, as herein provided, shall be certified by such Board to the Auditor of State, to be filed in his office, and he shall compile said rules, regulations and by-laws, and cause the same to be printed and delivered to the said Board of Control for the purpose herein provided.

SEC. 6. This act shall not repeal or modify any of the existing laws touching the existence, regulation and government of the said State's Prison at Michigan City, except in so far as may be necessary to carry out the provisions and purpose of this act.

SEC. 7. It shall be the duty of said Board of Control, upon its taking possession of said prison, to notify the contractors who are employing the prisoners therein, that if they, the contractors, desire, they may at any time within six months after April 1, 1897, by giving notice of their intention so to do, cancel the contracts by which they employ such prisoners, and said Board shall within ten days after receiving such notice formally release said contractor of all future liability on said contracts for the employment of the prisoners employed therein; if, however, no such notice is given by said contractor, then the change in the management of said prison shall be deemed to be of no injury or damage to such contractor.

SEC. 8. All laws and parts of laws in conflict herewith are hereby repealed.

SEC. 9. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after the first day of April, 1897.

GILBERT.

Which motion prevailed.

Senator Watson moved that the action of the Senate by which the title of House Bill No. 433 was ordered to stand as the title of the act be reconsidered.

The motion prevailed.

Senator Watson moved that the vote by which House Bill No. 433 was passed be reconsidered.

The motion prevailed.

Senator Watson then moved that the action of the Senate by which House Bill No. 433 was ordered engrossed be reconsidered.

The motion prevailed.

Senator Watson then moved that the vote on the adoption of the report of the committee on House Bill No. 433 be reconsidered.

The motion prevailed.

Senator Watson moved that House Bill No. 433 be recommitted to the Committee on Judiciary.

The motion prevailed.

Senator Shiveley, Chairman *pro tem.* of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Engrossed House Bill No. 433, the same being a bill for an act to legalize certain bonds issued by the city of Jeffersonville, and to permit the said bonds to be refunded, and declaring an emergency, introduced by Mr. Graham, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the same be amended as follows, viz.:

By inserting the word "Indiana" after the word "Jeffersonville" in section one, line nine, of said bill.

Also by striking out section three of said Engrossed House Bill and inserting in lieu thereof the following, to wit:

Section 3. In the event refunding bonds are issued and exchanged for said eighty-seven thousand dollar (\$87,000) bonds, or any part thereof, no notice or advertisement thereof shall be required, unless provided for in the ordinance approved by the Common Council authorizing the refunding of the same.

Also by adding section four, which is as follows:

Section 4. An emergency exists for the immediate taking effect of this act, and therefor the same shall be in force from and after its passage.

And when so amended that said bill do pass.

SHIVELEY,  
Chairman *pro tem*.

Which report was concurred in.

Senator Watson moved that the constitutional rule requiring that bills be read on three several days be suspended, that House Bill No. 483 be read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Johnson of Madison, Kerns, LaFollette, Linck, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shiveley, Stroup, Sweeney, Watson, Wood. Total, 39.

Senator Schneck voting in the negative.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Shea, Stroup, Sweeney, Watson. Total, 40.

Those voting in the negative were :

Senators Schneck, Bethel. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Watson made the following motion :

MR. PRESIDENT :

I move to amend the title of Engrossed House Bill No. 433 by inserting the word "Indiana" after the word "Jeffersonville."

WATSON.

Which motion prevailed.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 204, 16 and 106, introduced by Senators Early, LaFollette and Shiveley, and has compared the same with the engrossed bills, and find that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT :

A majority of your Committee on Agriculture, to which was referred Senate Bill No. 452, the same being a bill for an act to amend section one (1) of an act entitled "An act for the encouragement of agriculture," introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

WILLIAM F. KERNS,  
Chairman.

HOLLER,  
GILL,  
SCHNECK.



Senators Collett and Patten, members of the Committee on Agriculture, made the following report :

MR. PRESIDENT :

A minority of your Committee on Agriculture, to which was referred Senate Bill No. 452, the same being a bill for an act to amend section one (1) of an act entitled an act for the encouragement of agriculture, introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

COLLETT,  
PATTEN.

The question being, Shall the minority report be substituted for the majority ?

The motion was lost, and the minority report was not substituted for the majority report.

The question recurring on the concurrence in the majority report.

The motion prevailed, and the majority report was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 76, 503, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 503, entitled :

A bill for an act concerning the taxation of certain lands and other property within the limits of cities and towns, repealing all laws in conflict and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 76, entitled :

A bill for an act regulating the taxing of dogs and for the protection of sheep, cattle, horses, swine and other live stock and fowls, to provide penalties for its violation, to repeal all laws in conflict and to declare an emergency.

Read first time and referred to the Committee on Agriculture.

The regular order of business was resumed.

The question being on the adoption of Amendment No. 29, of Senator Shiveley, to Senate Bill No. 284.

The amendment was lost.

Senator Shiveley offered Amendment No. 30 to Senate Bill No 284 :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 284, by striking out the word "and" in line 6 of section 1 of said bill as printed, and inserting after the word "Loan" in said line six (6), the words "and savings."

SHIVELEY.

Which amendment was not adopted.

Senator Shiveley offered the following Amendment No. 31 to Senate Bill No. 284 :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 284, by striking out the word "profits" in line eight (8) of section six (6), of said bill as printed, and insert in lieu thereof the words "all declared dividends," and by striking out the words "shall be" in line nine (9) of said printed bill, and inserting in lieu thereof the words "shall have been."

SHIVELEY.

Which amendment was adopted.

Senator Shiveley offered Amendment No. 32 :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 284, by inserting after the word "sustained" in line five (5) of section six (6) of said bill as printed, the following words, to wit: "During such stockholders terms of payment and"

SHIVELEY.

Which amendment was adopted.

Senator Ellison offered the following Amendment No. 33, to Senate Bill No. 284 :

MR. PRESIDENT :

I move to amend Senate Bill No. 284, by inserting as section 12, these words :

Section 12. It shall be unlawful for any building and loan association to have more than one office, or to take as security for the repayment of any loan, a mortgage upon real estate that is more than ten miles from such office, unless the same be in the county wherein such office is situate: *Provided, however,* That nothing herein contained shall prevent such association from securing pre-existent debts by taking security on other real estate, and then number sections 11 and 12 as sections 12 and 13.

ELLISON.

Which amendment was not adopted.

Senator LaFollette offered Amendment No. 34 :

MR. PRESIDENT :

I move to amend Senate Bill No. 284 by adding thereto the following proviso: "*Provided, That where a foreign building and loan association doing business within this State has become insolvent, and its affairs are being wound up by a Receiver, the failure of such association to have complied with the laws of the State respecting its admission to do business therein shall not affect the right of such Receiver to bring any suit necessary to wind up the affairs of such association.*"

LAFOLLETTE.

Which amendment was adopted.

Senator Hawkins made the following motion :

MR. PRESIDENT :

I move to reconsider the vote by which section 2 of Senate Bill No. 284 was amended so as to limit the expenses to four per cent. of dues.

HAWKINS.

The motion prevailed.

Senator Watson offered the following, Amendment No. 35, to Senate Bill No. 284 :

MR. PRESIDENT :

I move to amend Senate Bill No. 284 by adding after the word "association," in line 11, in section 2 of said bill: "*Provided further*, That no association doing business in this State shall charge usurious interest directly or indirectly."

W. H. WATSON.

Which amendment was not adopted.

Senator Shiveley moved to recommit Senate Bill No. 284 to the Committee on Building and Loan Associations.

The motion prevailed.

Senator Newby moved that the Committee on Building and Loan Associations be ordered to report on Senate Bill No. 284 before 10 o'clock A. M. to-morrow.

The motion prevailed on a division of 19 in the affirmative and 15 in the negative.

Senator Shea moved to reconsider the vote by which Senator Newby's motion to have the Committee on Building and Loan Associations report before 10 o'clock to-morrow on Senate Bill No. 284.

The motion prevailed.

Senator Shea moved that the Committee on Building and Loan Associations be ordered to report on Senate Bill No. 284 at 10 o'clock Friday.

The motion prevailed.

Senator Holler, a committee of one to which was referred Substitute Senate Bill No. 117, with instructions, made the following report:

MR. PRESIDENT :

Your committee of one would report that he has in conformity with the orders of this Senate amended Engrossed Substitute Senate Bill No. 117 by striking out section 18 and inserting in the engrossed bill thereof the following words :

Section 18. It shall be the duty of said Board of Managers, upon their taking possession of said prison and reformatory to

notify the contractors who are employing the prisoners therein, that if they, the contractors, desire, they may at any time, within six months after April 1, 1897, by giving notice of their intention so to do, cancel the contracts by which they employ such prisoners, and said Board shall, within ten days after receiving such notice, formally release said contractor of all future liability on said contracts for the employment of the prisoners described therein. If, however, no such notice is given by said contractor, then the change in the management of said prison shall be deemed to be of no injury or damage to such contractor.

Section 19. Whereas an emergency exists for the speedy taking effect of this act, and that the people of this State should know the provisions thereof, therefore an emergency is declared and this act shall be in force from and after the first day of April, 1897, and it is hereby made the duty of the Secretary of State to transmit a true copy of this act to the Clerk of each Circuit and Criminal Court in this State on or before the 15th day of March, 1897.

And also by adding at the end of section 17 the words, "*Provided, however, That before making the payments in this section referred to, said Board shall receive the consent of the Governor so to do.*"

And also, by inserting in lieu of the first 15 words of the proviso in section 4 these words: "*Provided, however, That it shall not be obligatory upon such Boards to remove any person who has less than nine months.*"

C. HOLLER.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond. Duncan, Ellison, Gill, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 41.

Those voting in the negative were :

Senators Alexander, Culbert, Johnston of Dearborn. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Humphreys called up Senate Bill No. 438.

The bill was read a third time by sections.

Senator Humphreys made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 438 to its author, with instructions to insert the words "and before such road shall have been made" after the word "paid," in section 1 of said bill.

HUMPHREYS.

Which motion prevailed.

Senator Humphreys, a committee of one, to whom was referred Senate Bill No. 438, with specific instructions, made the following report :

MR. PRESIDENT :

Your committee of one, to whom was referred Senate Bill No. 438, with specific instructions, has amended the same in conformity therewith, and submits the bill so amended for the further action of the Senate.

HUMPHREYS.

Which report was concurred in.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goche-  
nour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner,  
Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison,  
Johnston of Dearborn, Kerns, LaFollette, Leich, New, Newby,  
Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck,

Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood.  
Total, 45.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bill No. 90, introduced by Senator Duncan, and Enrolled Senate Bill No. 359, introduced by Senator Early, and has compared the same with the engrossed bills and find that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman, and others, of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 444, introduced by Senator Newby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY, Chairman,  
O. Z. HUBBELL,  
J. J. M. LAFOLLETTE,  
H. Q. HOUGHTON,  
W. H. WATSON,  
C. E. SHIVELEY,  
W. R. WOOD.

Senator Drummond and others of the Judiciary Committee made the following report:

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 444, introduced by Senator Newby, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

CHAS. P. DRUMMOND,  
SHEA,  
ELLISON.

The question being, Shall the minority report be substituted for the majority report.

The minority report was not substituted for the majority report.

The majority report was concurred in.

Senator Newby, Chairman, and others of the Committee on Judiciary, made the following majority report:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred House Bill No. 44, introduced by Mr. Wair, has had the same under consideration and recommend that the same pass with the following amendments, to wit: By inserting after the word "cause," in line 10 of section 1, the following words: "Said interrogatories shall be prepared by counsel on either side of such cause and submitted to the court, and the court shall, before the argument commences, carefully inspect and revise the same by striking out all unnecessary, ambiguous, redundant and immaterial interrogatories, and by adding such other interrogatories to those submitted as may by him be deemed necessary to cover all the issues in the case and cause the same as revised by the court to be re-written and re-numbered. And the jury on retiring shall take all said interrogatories as revised and rewritten and answer each of them with the general verdict.

Also by striking out the word "this," in line 11 of section 1 and inserting the word "these" in lieu thereof.



Also by inserting after the word "cause," in line 18 of section 1 the following: "The court shall determine which party under the law is entitled to recover upon the facts found by the answers to the interrogatories and render judgment accordingly."

L. P. NEWBY,  
Chairman.

W. R. WOOD,  
J. J. M. LAFOLLETTE,  
ELLISON,  
SHEA,  
HUBBELL,  
EARLY,  
WATSON,  
SHIVELEY.

Which report was concurred in.

On motion of Senator Bobilya the Senate adjourned.

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### WEDNESDAY AFTERNOON.

FEBRUARY 24, 1897.

The Senate convened at 2 o'clock, with Lieutenant-Governor Haggard in the chair.

Senator Shiveley called up Senate Bill No. 305.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Ellison, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Hugg, Leich, New, Newby, Nusbaum, O'Brien, Patten, Schneck, Shiveley, White, Wood. Total, 26.

Those voting in the negative were :

Senators Drummond, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, McCord, O'Connor, Phares, Rinear, Self, Shea, Stroup, Sweeney. Total, 14.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator O'Connor called up Senate Bill No. 349.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 43.

Those voting in the negative were :

Senators Kerns, Watson. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Holler, by request, introduced Senate Bill No. 461, entitled :

A bill for an act to authorize Boards of County Commissioners of certain counties in the State of Indiana, when the orders and preliminary contracts for the construction of new court houses have been made prior to February 23, 1897, and when the ordinary revenues, together with one per cent. on the assessed valuation of property therein, is insufficient to construct

and complete such buildings, as decided upon by said Boards to issue and sell bonds to an amount not exceeding two per cent. on the taxable property of such counties, for such purpose, and declaring an emergency.

Read first time.

Senator Holler moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title and considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Culbert, Drummond, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 44.

Those voting in the negative were :

Senators Campbell, Gill. Total, 2.

So the constitutional rule was suspended.

The bill was read a second time by title and considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 47.

None voting in the negative

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Shiveley was called to the chair at 2:27 P. M.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 16, 106, 204, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also, I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Act No. 441, and the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also, I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 381, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Newby moved to suspend the rules of the Senate and take up and consider Senate Bills No. 421 and No. 444.

The ayes and noes were demanded on this motion.

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 34.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, Patten, Rinear, Shea, Stroup, Sweeney. Total, 15.

So the rules of the Senate were suspended.

Senator Newby moved that the constitutional rule requiring that bills be read on three several days be suspended, that Senate Bill No. 444 be read a second time by title and considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 35.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Nusbaum, Patten, Rinear, Shea, Stroup, Sweeney. Total, 14.

So the constitutional rule was suspended.

The bill was read a second time by title and considered engrossed; read a third time by sections and put upon its passage.

Lieutenant-Governor Haggard resumed the chair at 2:43.

Senator Sweeney made the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 444 to its author, with instruction to strike out all of said bill after its enacting clause.

SWEENEY.

Which motion did not prevail.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 85.

Those voting in the negative were:

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Shea, Stroup, Sweeney. Total, 15.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Holler, Chairman of the Committee on Prisons, made the following report:

MR. PRESIDENT:

The undersigned, your Committee on Prisons, would show that it visited the Prison North, situate at Michigan City, on the 23d day of January, 1897, and after making as careful examination as the limited time at its disposal would admit, most respectfully submits the following report:

1. The physical condition of the prison is not such as to meet its hearty commendation. Many of the buildings were not well constructed in the first place, and but little, if anything, has been done to keep them in repair. Eave troughs were put on but few of the buildings at the time of their erection, a part of which have entirely disappeared, or are in such condition that the water in many cases runs on or against the brick wall, causing permanent injury.

But few down spouts but are broken or torn off some distance from the ground, and none are so connected as to carry the water away from the foundations. This results in very great damage.

The roofs of many of the buildings were in bad condition. In the slate roofs the slate had been permitted to get loose, fall away, leaving great holes. In other buildings leaks existed by reason of holes in the tin or iron composing the roof.

In fact, there was but little evidence of effort to take care of the property of the State. It was apparent that this neglect of the State's property, evidently with the intention of making a good financial showing of the prison, was brought about by the officials, had been customary for many years, and we think unfortunately has been continued.

2. The hospital was found to be unfavorably located, illy ventilated in one end of the chapel; an unsafe building. It is immediately over the kitchen, which is used and occupied at least eighteen hours out of the twenty-four hours in a day, thus subjecting the inmates to its heat, odors and noise.

Its location certainly is unfortunate.

3. The chapel, a large brick building constructed in 1893, has been pronounced unsafe, and has not been used since July, 1896. It is doubtful if it can be repaired economically, though on that point there is a diversity of opinion.

4. The water supplied is insufficient in quantity and impure in quality. Its effect on the boilers, and, in fact, with everything in which it comes in contact, is injurious, and is pronounced unfit for domestic uses by the State Board of Health.

5. The clothing furnished the convicts, especially the underwear and socks, considering the rigors of the climate, the committee do not consider adequate, though it is equal to that heretofore furnished. Two pairs of cotton socks per man, aggregating a cost of 7 cents per year, is not sufficient for the climate of Northern Indiana, bordering on Lake Michigan; nor are two pairs of drawers and two undershirts annually enough for a laboring man.

6. We are of the opinion the health and discipline of the convicts would be subserved by feeding more fresh, and less salt, meat. Complaints were made by convicts of the food, and an investigation showed that during the last five months a very large per cent. (about 53) of the meat given was salt pork.

8. Your committee are of the opinion that appropriations should be made by this General Assembly to repair or rebuild

the Chapel; to erect a new hospital outside the grounds, but connected with the prison; to construct a water plant, supplied from Lake Michigan; to put the present buildings in repair, so as to protect the State's property from the elements and decay.

9. We are of the opinion that a knitting machine should be placed in one of the buildings, and a sufficient supply of socks manufactured within the prison, by the convicts, to supply their wants; that additional underclothing should be furnished, and more fresh and less salt meat fed the prisoners.

As the passage of the law making the Prison South a reformatory will change the population of the prison, we would recommend that the appropriations for maintenance be made *per capita* as ascertained each month.

It affords the committee pleasure to report that the affairs of the prison have been honestly and economically administered during the present management; that the prisoners have had an abundance of good, wholesome food; that fruits and vegetables in sufficient quantities have been given, and that while the general repairs of the prison have been neglected the prisoners have been kept employed and the prison made self-supporting.

CHRISTIAN HOLLER, Chairman.  
H. C. DUNCAN,  
W. H. WATSON,  
J. D. EARLY,  
HARRY S. NEW.

While we can and do in the main concur in the above report, we believe we should say that while we know of nothing that would reflect upon the honesty or industry of any of the officers connected with the Prison North, yet we believe there has not been the efficient management thereof that the State has a right to expect.

There has been a willingness to permit a condition of affairs to continue that has brought discredit upon and criticism of the prison, when a prompt and efficient performance of duty would have brought about different and better results.

T. E. ELLISON,  
JOSEPH H. SHEA.

Which report was concurred in.



Senator Shiveley was called to the chair to preside at 2:55.

Senator Gilbert called up Senate Bill No. 421.

The bill was read a third time by sections.

Senator Bobilya made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 421 be referred to its author, with instructions to amend as follows :

Strike out the word "two" in line two of section two in printed bill, and insert the word "one."

BOBILYA.

Which motion was lost.

Senator Bobilya made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 421 be referred to its author, with instructions to amend as follows :

Strike out the figures "1901" in line 8 of section 1, in printed bill, and insert the figures "1900."

BOBILYA.

The question being on the motion of Senator Bobilya.

The ayes and noes were demanded by Senators Bobilya and Ellison.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, O'Connor, Patten, Rinear, Shea, Stroup, Sweeney. Total, 15.

Those voting in the negative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Cochenour, Goodwine, Gostlin, Hawkins, Hoggate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 33.

So the motion did not prevail.

Senator Ellison made the following motion.

MR. PRESIDENT:

I move to recommit Senate Bill No. 421 to the Senators from Allen County with instructions that they prepare a bill in lieu of this bill that will be fair to the people of the city of Fort Wayne and meet the approval of a great majority of the citizens of said city, and not, as this bill does, to satisfy the political wish of a few, and but a few of such citizens.

ELLISON.

The motion was held out of order by the President.

And Senator Ellison appealed from the decision of the President.

The question being, Shall the decision of the President be sustained?

The result of the viva voce vote being in doubt, a division was called for, and on the division the decision of the President was sustained by a vote of 30 in the affirmative to 13 in the negative.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 33.

Those voting in the negative were:

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Humphreys, Johnston of Dearborn, O'Connor, Patten, Rinear, Shea, Stroup, Sweeney. Total, 14

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Enrolled Acts Nos. 37, 90, 307, 419, 473 and 475, vetoed by Governor Matthews, has had the same under consideration and begs leave to report the same back to the Senate for the consideration of the Senate.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senate Bill No. 473, of the session of 1895, and the Governor's objections thereto, were read:

Senator Newby made the following motion:

MR. PRESIDENT:

I move that the message of Governor Matthews, vetoing Senate Bill No. 473, passed at the last session of the General Assembly be received and his objections to said bill be entered at large upon the Journal of the Senate, and that the Senate do now proceed to the consideration of said Senate Bill No. 473, and that said bill do pass, notwithstanding the objections of the Governor.

NEWBY.

The question being on the motion of Senator Newby.

The roll was called:

Those voting in the affirmative were:

Senators Early, Gilbert, Hawkins, Hugg, Kerns, New, Phares, Watson, Wood. Total, 9.

Those voting in the negative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Gill, Gochenour, Goodwine, Holler, Horner, Hubbell, Humphreys, Johnson, Johnston, Leich, Mull, Newby, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White. Total, 31.

So the motion did not prevail.

Senator Johnston of Dearborn introduced Senate Bill No. 462, entitled :

A bill for an act fixing the times of holding courts in the Seventh Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, providing for the return of process therein, and repealing all laws in conflict therewith.

Read first time.

Senator Johnston moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title and considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Early, Ellison, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Drummond, Duncan, Early, Ellison, Gill, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerne, Leich, McCord, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 549, 544, 584, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 549, entitled:

A bill for an act defining the Forty-second Judicial Circuit of the State of Indiana and fixing the time of holding court therein, prescribing the length of terms thereof, and containing other provisions properly connected with this act and repealing all laws in conflict herewith.

Read first time and referred to the Committee on Organization of Courts.

Engrossed House Bill No. 544, entitled:

A bill for an act to repeal an act entitled an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana and to apportion the same among the several counties of the State and to repeal all laws in conflict herewith, approved March 6, 1885.

Read first time and referred to the Committee on Legislative Apportionment.

Engrossed House Bill No. 584, entitled:

A bill for an act to legalize the actions of the Boards of County Commissioners who have, in good faith, sold or exchanged any real estate, the same being county property, without having given notice or made advertisement thereof, as required by law.

Read first time and referred to the Committee on Judiciary.

Senator Newby made the following motion :

MR. PRESIDENT :

I move that as the message of Governor Matthews vetoing Senate Bill No. 90 has been entered at length upon the Journal of this Senate, that the Senate do now proceed to the consideration of said Senate Bill No. 90, and that said bill do pass, notwithstanding the objections of the Governor.

NEWBY.

Senator Watson moved to make Senate Bill No. 90, of the session of 1895, and the motion of Senator Newby relative thereto a special order for 2:30 o'clock to-morrow.

Which motion prevailed.

Senator Newby moved that the consideration of Senate Bills Nos. 37, 307, 90, 419 and 475, of the session of 1895, vetoed by Governor Matthews, be made a special order for 2:30 o'clock to-morrow.

Which motion prevailed.

Senator Hawkins introduced Senate Bill No. 463, entitled :

A bill for an act concerning the sessions of county commissioners in counties having their county seats located in a civil township containing an area of not less than one hundred and eleven square miles, and declaring an emergency.

Senator Hawkins moved that the constitutional rule requiring that bills be read on three several days be suspended, and that the bill be read a second time by title and considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Early, Gilbert, Gill, Gochenour, Gostlin, Hawkins, Hogate, Horner, Houghton, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, New, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, Wood. Total, 36.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Culbert, Drummond, Early, Ellison, Gilbert, Gill, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, White, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Lieutenant Governor Haggard resumed the chair at 3:40.

Senator Newby was called to the chair to preside at 4:07.

Senator McCord, Chairman of the Committee on Mines and Manufactures, made the following report:

MR. PRESIDENT:

Your Committee on Mines and Manufactures, to which was referred Engrossed House Bill No. 366, the same being a bill for an act to compel mine owners to make and file maps, etc., introduced by Mr. Berry, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

McCord,  
Chairman.

Which report was concurred in.

Senator Patten called up Senate Bill No. 358.

The bill was read a third time and put upon its passage.

Senator Horner made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 358 be referred to its author, with instructions to amend the same by striking out the word "ten," in line 18 of section 1, and insert instead thereof the words "two-fifths of."

HORNER.

Which motion was lost.

Senator Horner made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 358 be referred to its author for amendment as follows: Strike out the word "ten," in line 18 of section 1, and insert instead thereof the words "a majority of."

HORNER.

Which motion did not prevail.

Senator Phares made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 358 to its author, with instructions to strike out the words "fifty cents," in line 327 of section 1, and insert the words "one dollar," and strike out the words "twenty five," in line 327, and insert the word "fifty."

PHARES.

Which motion did not prevail.

Senator Ball made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 358 to its author, with instructions to strike out the word "any," in line 300 of section 22, and insert therein the word "ten," and by adding the letter "s" to the word "owner," in the same line and section.

BALL.

Which motion did not prevail on a division of 14 in the affirmative and 20 in the negative.

The question being, Shall the bill pass?

The roll was called.



Those voting in the affirmative were :

Senators Bethell, Bozeman, Duncan, Early, Gilbert, Goar, Goodwine, Gostlin, Hawkins, Hogate, Houghton, Hubbell, Hugg, Kerns, LaFollette, Leich, McCord, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 27.

Those voting in the negative were :

Senators Alexander, Ball, Bobilya, Campbell, Drummond, Gill, Horner, Humphreys, Mull, Nusbaum, O'Connor, Patten, Rinear, Sweeney. Total, 14.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Gilbert, a committee of one, to whom was referred Senate Bill No. 401, with specific instructions, made the following report:

MR. PRESIDENT :

Your Committee of One, to which was referred Senate Bill No. 401, with instructions, begs leave to report that it has made the substitution in accordance with such instructions, and recommends that said bill be now re engrossed.

GILBERT.

Which report was concurred in.

Senator Gilbert offered Senate Resolution No. 45, as follows :

WHEREAS, There will be at the close of the session a large amount of journal work which the journal force will be unable to complete before the adjournment of this session, be it

*Resolved*, That the President of the Senate be and is hereby authorized to issue a warrant to the Assistant Secretary for the sum of \$205 for the completion of the journal, this being the same amount allowed two years ago for the same work.

GILBERT.

Which resolution was adopted.

Senator Bethell, Chairman of the Committee on Labor, made the following report:

MR. PRESIDENT:

Your Committee on Labor, to which was referred Senate Bill No. 435, introduced by Senator Johnson, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be printed.

BETHELL,  
Chairman.

Which report was concurred in.

Senator Self made the following motion:

MR. PRESIDENT:

I move that hereafter the sessions of the Senate convene as follows: At 9:30 o'clock A. M. and 1:45 P. M.

SELF.

Which motion was referred to the Committee on Rules.

Senator Early called up Substitute Senate Bill No. 413.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Sweeney, Watson, White, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hawkins made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 194 to the Committee on Public Health.

HAWKINS.

Which motion prevailed.

On motion of Senator Newby the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## THURSDAY MORNING.

FEBRUARY 25, 1897.

The Senate convened at 10 o'clock, with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by the Rev. Dr. Bicknell, of the First Baptist Church, of Indianapolis.

A portion of the Journal had been read, when Senator Houghton moved to dispense with the further reading of the same, and the motion prevailed.

Senator Hogate called up House Bill No. 231.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull,

New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson, White, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Self called up House Bill No. 115.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, Leich, LaFollette, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Schneck, Shea, Shiveley, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 256 and 79, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 489 and 388, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Act No. 359, and that he has declined to sign Senate Enrolled Act No. 90, for the reason that said enrolled act does not contain an enacting clause in the body of the act.

B. H. PRATHER,  
Principal Clerk of the House.

Engrossed House Bill No. 388, entitled :

A bill for an act providing for the revision of the statute laws of the State of Indiana, and declaring an emergency.

Read first time and referred to the Committee on Revision of the Constitution.

Engrossed House Bill No. 489, entitled :

A bill for an act to amend section 6 of an act entitled an act to amend the 1st, 2d, 3d, 4th, 8th, 13th and 17th sections of an act entitled an act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies ; approved May 12, 1869 ; approved March 17, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Duncan moved to reconsider the action of the Senate by which the title of Senate Bill No. 90 was ordered to stand as the title of the act.

The motion prevailed.

Senator Duncan moved to reconsider the vote by which Senate Bill No. 90 was passed.

The motion prevailed.

Senator Duncan made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 90 to its author, with instruction to insert an enacting clause after the figure 1, line 1, of section 1.

DUNCAN.

Which motion prevailed.

Senator Duncan, the committee of one, to whom was referred Senate Bill No. 90, with specific instructions, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Engrossed Senate Bill No. 90, would report that the bill has been amended by inserting in section 1, after the figure 1, the following: Be it enacted by the General Assembly of the State of Indiana.

DUNCAN.

Which report was concurred in.

The question being, Shall Senate Bill No. 90 pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Sweeney, Watson, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 300, introduced by Representative Smith of Allen County, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 237, introduced by Mr. Babcock, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 449, introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, having visited and carefully inspected the Eastern Indiana Hospital for Insane, at Richmond, Indiana, submits the following report :

We find present in said institution 510 insane inmates, and enrolled therein 530. The capacity of said institution has been increased during the past year from 438 to 540. There are thirty vacant beds in the Department for Women, and every bed is occupied in the Department for Men. The few vacancies remaining in the Department for Women will, in the judgment of Dr. Smith, Medical Superintendent of said institution, be filled within the next two months. There exists in the Eastern District, composed of the sixteen counties tributary to this institution, it is reported, an urgent demand for the admission of new cases. At present more men can not be admitted for want of room, and insane cases are accumulating in the county jails and poor houses. The Eastern District includes all of the natural gas and oil belt, and with the increase of population in this section there is an apparent proportionate increase of insanity.

We find that the specific appropriation of \$50,000 made to this institution by the last General Assembly has been wisely and properly applied for the purposes intended.

The new building, which provides two associate dining halls, an assembly hall, a large general kitchen and employes' quarters, is substantially well built, plain and admirably fitted for the special purposes in view, and we are pleased to note said additions were constructed within the appropriation.

This building is in many respects a model of its kind, we find, in spite of some overcrowding, the inmates well cared for, tidy in appearance and as comfortable as it is possible to make them.

The sanitary condition of the institution is of the highest order. The water supply is ample and of good quality, and the buildings without exception in good repair.

The sewage system in the institution is satisfactory, but the effluent is emptied into a small stream, thereby polluting it. The management can not remedy this evil until special provision by the Legislature permits.

The Medical Superintendent of this Hospital is discharging his duty faithfully and efficiently, and in the judgment of the committee he is a gentleman of high qualifications and peculiar fitness for the position he occupies.



We believe that the institution is being managed upon the best business principles, and the best interest of the State and its wards are being cared for conscientiously and judiciously.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT :

The Committee on Benevolent Institutions makes the following report:

Your Committee on Benevolent Institutions, having visited the School for Feeble-Minded Youth at Ft. Wayne, Indiana, submits the following report:

The number enrolled January 22, 1897, was 562. The number of employes, 90.

This is an increase of population of sixty during the biennial period. Of this number 34 are on the colony farm and 8 are in the additional hospital building, being small boys, feeble in health, and need the constant care of the nurses.

We are pleased to notice that the repairs, painting, etc., have been kept up, and that the house was in excellent order throughout.

There seems to be plenty of room in the dormitories, dining-room, etc., but the day rooms are rather too crowded for the best results. The committee made a thorough inspection of the shops, the schools and every portion of the institution, and were pleased with the work done in the training of the children.

In the afternoon we were shown the ordinary Sunday exercises, following which was an exhibition of the physical training which the children received. The display was very creditable to the teachers and officers of the institution under whose care the training is being conducted. The committee noticed the food of the children, and also their clothing, and were very well satisfied with every department in these respects.

The addition built to the hospital was well arranged, and affords room for the best care of the sick, which evidently had been much needed in the past. The medical department in general seemed to be in excellent order. We were particularly pleased with the physician in charge of the medical department, Dr. Delia Hume, and believe that she is eminently qualified for her responsible duties.

We also commend the arrangement made with the Medical College of Fort Wayne by which the services of specialists are secured with no cost to the State, and the care of the children's eyes, ears, etc., receive the attention which only a specialist can give.

The farm which, as well as the addition to the hospital, was provided by the special appropriation made by the Legislature of 1895, consists of 255 acres. It is so located about one and one-half miles northeast of the main institution. The land has already been considerably improved, but there is a good deal of room for work of this kind upon it. The appropriation did not afford sufficient means for any extensive building, and arrangements were made at a very low cost which gave satisfactory accommodations for forty boys.

This was effected by moving the old farm house to a better site and building an addition. The addition includes a large dining-room, kitchen and pantries on the first floor, and the dormitory, which accommodates thirty-two boys on the second floor.

The work of this building was mainly done by the regular help of the institution, all laboring work being performed by the older and stronger boys. The addition is of frame, as are the two old buildings. We would prefer that they should be of brick, but we are able to report, as far as the work has been completed, it is of a substantial character, the house being quite warm and comfortable in the severest weather. In addition to the house, there has been built a very substantial barn on an excellent plan, affording room for fifty-five head of cattle in the basement, with abundant granaries and mows above, and also a detached horse-barn and chicken-house, sheds and offices. All of this work has been done by the ordinary help of the institution aided by the boys, and 110,000 feet of lumber, cut in the woods on the farm and sawed on the premises,

has been used up in these various buildings. We found forty boys colonized at the farm house and seven more on the adjoining farm which the State has been renting for four years, and we were pleased to find these boys evidently healthy and happy, and we were told that they were all usefully employed.

We also commend the work of ditching and fencing which has been done. Also, about thirty-four acres of land cleared. The general result of this experiment must be said to be very satisfactory indeed. A pleasing feature which we noticed was a camping ground in a piece of woodland on the farm, where every summer about 300 children enjoyed a week's vacation. Thirty to thirty-five of them at a time living in tents enjoying the woods and creeks as only bare footed children can.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the followings report:

MR. PRESIDENT:

On Saturday, the 6th day of February, 1897, your Committee on Benevolent Institutions visited the Indiana State Soldiers' Home, located near the city of Lafayette. This Home was established under and by virtue of an act for this purpose, on February 23, 1895. Notwithstanding that but two years' time has passed since this Home was created, we find that the grounds upon which the same is located—the same being a timber piece of country—has been largely cleared of underbrush, so that the topography of the same may be seen by passers-by, and the sight of the same afforded demonstrates the fact that no mistake has been made in fixing this spot for the permanent location of the State Soldiers' Home.

The buildings are situate on a tract of ground occupying a prominence of 180 feet above the level of the Wabash River, that lies close to its base.

The Legislature creating this institution appropriated the sum of seventy-five thousand (75,000) dollars, with which all the work of clearing the grounds and erecting the buildings thereon has been done. With this sum there has been erected:

First. A system of water works, the supply for which is obtained from a number of wells driven in the bottom of the Wabash River, and from these wells the water is forced by a steam pumping apparatus to a large reservoir tank on the grounds, which stands 275 feet above the level of the river, which gives sufficient force to supply water necessary to all parts of the grounds and buildings of the Home.

This water has been analyzed, and has been certified to be almost chemically pure, and no matter how muddy the river becomes, the water is always clear and palatable.

Your committee finds that while the water system is ample to furnish water for the use of the Home for all ordinary purposes, that the system is not sufficient as a protection against fire; that if fire should break out in any of the buildings, with this limited water supply there is no telling what damage might be done before the same could be arrested, and your committee recommends that a sufficient and ample appropriation be made to increase the capacity of the water works, and the electric light plant as well.

We find, in reference to the electric light plant, that it requires the full capacity, at this time, of the dynamos used to supply the light necessary, and the same will be insufficient to supply lights for any new buildings that may be erected, and in which lights may be found necessary.

We find that there has been erected upon the grounds a quartermaster's building, that was intended originally to be the business building of the Home; but, owing to the population increasing so rapidly and there being a want of rooms, this building is now used, not only for the purpose for which it was designed, but also used by the Commandant as a living compartment, and also by the Adjutant as a living compartment. And other officers of the Home are compelled to use this building, and the Trustees are compelled to use the Quartermaster's building for office and dormitory purposes.

In addition to this the entire Quartermaster's supply for the Home is kept in this building, which so overcrowds it as to make it almost impossible to transact the routine business of the Home in the limited and overcrowded building.

We next visited the dining-room of the Home. This dining-room was built to accommodate 320 table seats at one time, which was estimated at the time the same was erected to be of sufficient capacity to serve the Home for at least two or three years; but the increase of the population has been so rapid that the dining-room at the end of the first year is overcrowded, and additional room should at once be added for dining-room purposes; therefore we believe that an ample and sufficient appropriation should be made to enlarge this dining-room to accommodate at least 225 more people.

The Widows' Home, we found, occupies the floor above the dining-room, which is also overcrowded. We further found that by adding additional room to the dining-room to meet the wants of the Home that ample room may be furnished for the Widows' Home by providing compartments above to the new dining-room as now provided over the old one.

We next visited the Old People's Home. This building has a capacity of 100 persons, and it was so arranged in building the same that it might be used for the exclusive use of men with their wives. We find that it was also overcrowded; that the management is compelled to use the dining-room, pantries and kitchen as sleeping compartments for the single old men.

We also find that there is no separate home for the single old men, except that provided in using the old people's dining-room, pantries and kitchen hereinbefore referred to.

We also find that the largest per cent. of applicants are single old men who, as yet, have not been fixed with definite or fixed quarters. Your committee feels justified in recommending a sufficient appropriation to build a new building to be used by the single old men as a home, and we further believe that this building, when erected, should be large enough to accommodate 150 or 200 persons. We feel that this building is absolutely necessary at the present time.

Your committee also finds that for the want of a sufficient appropriation the Trustees could not build a chapel or hall, and we find that the Home is without any hall whatever where public meetings or church can be held. There has never been any church services at the Home since it opened, except funerals at the hospital and such other services as can be held on the open ground when the weather would permit,

and those held around in the small rooms in camp. Neither are there any library accommodations anywhere, and no place to store books. We found that quite a number of books have already been donated to the Home, and they have no place wherein to keep them. Therefore, we believe that an appropriation should be made to build a hall or chapel room, that could be used both for library purposes and be suitable for church and religious purposes, affording the inmates of the Home an opportunity which a great majority of them desire and petition for; to have the opportunity of attending religious services, the same as they might have, if they were on the outside. We also find that all the cottages and State buildings on the Home grounds are connected with the Home sewer, which sewer requires a large and important extension upon the Home grounds to reach other buildings now in prospect and course of construction, as well as an extension of the main outlet.

The main outlet at present is no more than 200 feet from a closely populated block of buildings. This main sewer should have attention before warm weather, and something, we feel, should be done without delay, either to carry the sewage far away from the Home or means provided for the reduction of same, and your committee feels it to be their duty to urge an appropriation to extend and place the sewerage system of this Home in a good sanitary condition before warm weather arrives and thus prevent possible contagion and sickness.

In addition to the State buildings built under the appropriation we also find that a great many buildings have been erected by the Grand Army Posts from different portions of the State, and by the Woman's Relief Corps, and also from appropriations made by County Commissioners from many of the counties of the State. Ten of these county buildings are splendid two-story buildings, containing from seven to ten rooms, with dormitory capacity for from eighteen to twenty persons; besides, eight buildings, built by the various G. A. R. Posts and W. R. Corps, all of which buildings are substantial frame constructions and present a city-like appearance. These buildings are now all full and over-crowded. The total number of these buildings built by donations is forty-eight.

The average age of the occupants of these buildings ranges from 55 to 60 years, and we believe persons of this age require, on account of their infirmity, a uniform temperature of heat to insure good health in cold weather. The only way the Trustees now have to warm these buildings is by the use of ordinary heating stoves. In these ten large buildings, to which we have referred heretofore, we find about one hundred stoves, which means one hundred separate fires, which method of heating not only encumbers the space in the small rooms, but furnishes a varying temperature.

We also find that it makes it extraordinary hazardous because of the great danger of fire breaking out in a place where so many fires have of necessity to be used.

We also find that this kind of fire is expensive, and the fuel necessary for the same could be obtained cheaper if there was erected a steam heating plant or apparatus to supply this building with needed heat, and we also find that it would diminish the hazard on account of fire breaking out.

In addition to the buildings already erected by donation, we are informed that nine additional cottages are preparing to erect cottages in the spring. We find that but little effort has been made to build streets and sidewalks at the Home, owing to the fact that there was no appropriation out of which the same might be built. This Home is located in a dense forest, and it has been a work of large proportions to remove the timber and brush. The grounds are platted and the streets laid out, and some temporary board walks have been provided for the people who live in the cottages to reach the dining-room without having to tramp through the mud, and we feel that we are justified in recommending that an appropriation be made to build streets and sidewalks, and improve the grounds in a manner in keeping with the dignity of the institution that has been builded here, especially in so far as such streets and sidewalks are found to be necessary. We also find that the engineer and electrician employed at the Home has no place to live, except in temporary quarters that have been partitioned off with sheets in the engine house built for the pumping station. This engineer has to be constantly at his post of duty, and the engine house is a mile away from the buildings erected for the use of the Home, and we believe that it is absolutely necessary



that an appropriation should be made for the erection of a cottage or dwelling for the engineer.

Your committee finds that in the original appropriation made for this Home, that no amount was appropriated for the fitting and furnishing of the same, and that the Trustees, upon their own responsibility, purchased all the furniture that is now in use in such Home, and became individually liable therefor. The amount necessarily expended by them for this purpose, we find to be eighteen thousand five hundred (\$18,500) dollars, and we recommend that an appropriation be made to reimburse the Trustees for this amount expended as aforesaid.

Respectfully submitted,  
M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 114, introduced by Mr. Morris, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 451, introduced by Mr. Johnson, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.



Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 104, introduced by Mr. Kayser, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report :

MR. PRESIDENT :

Your Committee on Public Health, to which was referred Senate Bill No. 404, introduced by Mr. Johnson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

CHAS. S. GOAR,  
Chairman.

Which report was concurred in.

Senator Schneck, Chairman of the Committee on Roads, made the following report :

MR. PRESIDENT :

Your Committee on Roads, to which was referred House Bill No. 217, introduced by Mr. East, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. SCHNECK,  
Chairman.

Which report was concurred in.

Senator Phares called up Senate Bill No. 245.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Goche-nour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, O'Brien, Patten, Phares, Rinear, Schneck, Shiveley, Watson, Wood. Total, 36.

Those voting in the negative were :

Senators Houghton, Johnston of Dearborn, Schneck. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

Senator Hugg, introduced Senate Bill No. 464, entitled :

A bill for an act to amend section fifty-nine (59) of an act entitled an act concerning the incorporation and government of cities having more than one hundred thousand (100,000) population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency.

Read first time and referred to the Committee on the Affairs of the City of Indianapolis.

Senator Ellison withdrew the amendment offered on the 20th of February to Senate Bill No. 290.

Senator Ellison then offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 290 by striking out the word "fifty," in line 9 of section 1, and inserting in lieu thereof the word "forty." And also by inserting after the word "cases," in line 6 of section 1, these words: "Provided said town has

not incurred, and shall not be hereby authorized to incur, an indebtedness of more than two per cent. of the amount of taxable property of said town, as provided in the Constitution of the State of Indiana."

ELLISON.

Which amendment was adopted.

And the bill was ordered to be engrossed.

Senator Rinear called up Senate Bill No. 148.

The bill was read a third time by sections and put upon its passage.

Senator Wood made the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 148 to the author, with instructions to amend by striking out the words "in each month," in line 5, section 3, and inserting in lieu thereof "of March, June, September and December;" and strike out the word "month," in line 9, section 3, and insert in lieu thereof the word "quarter."

WOOD.

The motion prevailed on a division of the Senate, with 19 voting in the affirmative and 15 in the negative.

Senator Self made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 148 be recommitted to its author, with specific instructions to amend said bill by adding after the word "probity," in line 5 of section 1, the following words : "No more than two of whom shall be of the same political party."

SELF.

Which motion prevailed.

Senator Duncan, a committee of one, to which was referred Senate Bill No. 148, with instructions to make specific amendments, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 148, with instructions to amend the same in accordance

with the motions of Senator Wood and Senator Self, has complied with such instructions, and returns the bill so amended for the further action of the Senate.

DUNCAN.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Bethell, Bozeman, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Goar, Goodwine, Gostlin, Hawkins, Hogue, Humphreys, Nusbaum, O'Brien, Patten, Rinear, Shea, Shiveley, White, Wood. Total, 23.

Those voting in the negative were :

Senators Alexander, Ball, Bobilya, Campbell, Drummond, Gill, Gochenour, Holler, Horner, Hugg, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, O'Connor, Phares, Schneck, Self, Sweeney, Watson. Total, 23.

So the bill failed to pass.

Senator O'Brien was called to the chair to preside at 10:55.

Lieutenant-Governor Haggard resumed the chair at 11:10.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 117, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 450, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 450, entitled :

A bill for act to extend the charter of the Indiana Cotton Mills of the city of Cannelton, county of Perry and State of Indiana, and declaring an emergency.

Read first time and referred to the Committee on Federal Relations.

Senator Schneck called up Senate Bill No. 394.

The bill was read by sections.

Senator Holler offered the following amendment to Senate Bill No. 394 :

MR. PRESIDENT :

I move to amend Senate Bill No. 394 by inserting after the word "Indiana," in section 2, line 4, the following: "except as provided for in section six of this act." And inserting section 6, to read as follows :

Section 6. The provisions of this act shall not apply to any county containing less than forty miles of free gravel or macadamized roads.

HOLLER.

Which amendment was not adopted.

The following message was received from the Governor :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Enrolled Act No. 106, an act to amend section 1 of an act to encourage the erection and operation of water works in towns by incorporated associations, etc.

Also :

Senate Enrolled Act No. 204 :

An act providing for the changing of the time for electing certain township officers, fixing the time when they shall qualify, etc.

And the same have been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,

Private Secretary.

To the Honorable President of the Senate.

Read in the Senate at 11:30 o'clock A. M. on Thursday, February 25, 1897.

Also :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has carefully examined Senate Enrolled Act No. 2, an act making it unlawful to use for testing the weight, grade or value of wheat any measure other than the standard half-bushel furnished by the United States, etc., and he has caused the same to be deposited with the Secretary of State without his approval. Like action has been taken with reference to Senate Enrolled Act No. 21, an act in regard to taxation, issuing bonds, etc.

Respectfully,

CHAS. E. WILSON,

Private Secretary.

To the Honorable President of the Senate.

Read in the Senate at 11:30 o'clock A. M. on Thursday, February 25, 1897.

The veto message is as follows :

MR. PRESIDENT :

I herewith return Senate Bill No. 16 without my approval. This is a bill to change the Twenty-sixth Judicial Circuit, composed of the counties of Adams and Jay, creating a new judicial circuit, to be known as the Fifty-eighth Judicial Circuit, and to be composed of the county of Jay. In disapproving of this bill I am not unmindful of the fact that Jay County needs some relief. The method of securing relief becomes the serious problem. We have followed too long a custom of creating new courts without proper regard to existing necessity, or to granting the needed relief in the most economical way. The fruitage of this method has been a needless multiplication of courts, many of which have not business enough to occupy an industrious Judge for one half his time. This bill, in order to give relief to Jay County, creates Adams County a separate circuit, which, when created, will be one of the smallest in the State,

with less than one-half the business of the average circuit of the State.

The Tenth Judicial Circuit, composed of the counties of Lawrence and Monroe; the Forty-sixth, composed of the county of Delaware; the Sixteenth, composed of the counties of Johnson and Shelby, and the Twenty-eighth, composed of the counties of Blackford and Wells, have more business than the Twenty-sixth Judicial Circuit, now composed of the counties of Jay and Adams. If this bill becomes a law, how can we justly deny new courts to the above named judicial circuits? When is this method to be abandoned?

Upon investigation the following facts are revealed, which militate against the necessity for this new court:

<i>Year.</i>	<i>New Cases Filed.</i>	<i>Cases Carried Over.</i>	<i>Cases Disposed of.</i>
1894.....	861	295	797
1895.....	756	292	754
1896.....	720	334	678

From the foregoing table it appears that the average new cases entered upon the civil docket in the Twenty-sixth Judicial Circuit for the last three years was 777. The average number disposed of was 748, or 34 less than entered for trial. It also appears that in 1896 there was entered upon the docket of civil cases 720, or 23 less than the average disposed of during the three years. It also appears that in 1894 there were docketed 861 new cases, or 141 more than in 1896.

It is an inopportune time to create new courts when court records show that litigation is on the decline. It is also unwise to multiply expenses while we are in the midst of financial depression.

Upon investigation I find that the Superior Court of Allen County has much unoccupied time. By extending the jurisdiction of this court to Adams County, thus enabling the Judge of the Twenty-sixth Judicial Circuit to give one-half the time now occupied by the Adams County Court to Jay County, the needed relief to the county would be secured.

This would also give more employment to the Superior Court of Allen County, which Court has not now enough business to industriously occupy more than one-half its time. I trust that the General Assembly in its wisdom will provide for a commission

to reorganize the judiciary of the State and prepare a bill to this end, to be submitted to the next Legislature. As I have indicated before, this seems the only practical way of securing relief to crowded courts and giving more work to idle courts. I believe all needed relief can be in this way secured, and the number of courts and court expenses greatly reduced.

Respectfully,

JAMES A. MOUNT,  
Governor.

To the Honorable President of the Senate.

Received in the Senate at 11:30 A. M., February 25, 1897.

Senator LaFollette moved that Senate Bill No. 16, vetoed by Governor Mount for the reasons set out in his veto message to the Senate to-day, be made a special order for this afternoon at 2 o'clock, and the motion prevailed.

Senator Holler made the following motion :

MR. PRESIDENT :

I move to amend Senate Bill No. 394, by inserting after the word "Indiana," in section 2, line 4, the following, "except as provided for in section 6 of this act," and inserting section 6 to read as follows :

Section 6. The provisions of this act shall not apply to any county containing less than fifty miles of free gravel or macadamized roads.

HOLLER.

Which motion did not prevail.

Senator Patten offered the following amendment to Senate Bill No. 394 :

MR. PRESIDENT :

I move to amend section 4, line 2, Senate Bill No. 394, that that there be inserted after the word "Indiana" the words, "this act shall not apply to counties that have less than one hundred miles of gravel roads."

PATTEN.

Which amendment was not adopted.



Senator Goodwine made the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 394 to a committee of one, its author, for amendment as follows: Strike out "highway" in line 3, section 2, and insert in lieu thereof "gravel road."

GOODWINE.

Which motion did not prevail.

Senator Patten made the following motion :

MR. PRESIDENT :

I move to amend Senate Bill No. 394, section 3, line 2, that the word "ten" (10) be stricken out and the word "five" (5) be inserted.

PATTEN.

Which motion did not prevail.

Senator Self made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 394 be recommitted to its author with specific instructions to amend said bill by striking out the figures "1898," in line 2 of section 1, and substituting therefor the figures "2000."

SELF.

Which motion did not prevail.

The question being, Shall Senate Bill No. 394 pass?

The roll was called.

Those voting in the affirmative were :

Senators Ellison, Gilbert, Goar, Gostlin, Hogate, Holler, Hugg, Johnson of Madison, Newby, Nusbaum, Schneck, Wood. Total, 13.

Those voting in the negative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Culbert, Early, Gill, Gochenour, Goodwine, Hawkins, Horner, Hubbell, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, O'Connor, Patten, Phares, Rinear, Self, Shea, Stroup, Sweeney, Watson, White. Total, 33.

So the bill failed to pass.

Senator Holler, by request, introduced Senate Bill No. 465, entitled :

A bill for an act to provide for the appointment of three commissioners by the Governor to inquire into the judicial system of the State, and to report a bill to the next General Assembly redistricting the State for judicial purposes.

Read first time and referred to the Committee on Organization of Courts.

Senator Self called up Senate Bill No. 360.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Stroup, Sweeney, Watson, Wood. Total, 40.

Senator Patten voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Self called up Senate Bill No. 312.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Early, Gilbert, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson,

Johnston, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeny, Watson. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

On motion of Senator O'Brien, the Senate adjourned.

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## THURSDAY AFTERNOON.

FEBRUARY 25, 1897.

The Senate convened at 2 o'clock p. m., with Lieutenant-Governor Haggard in the chair.

Senator Newby introduced Senate Bill No. 466, entitled :

A bill for an act to amend sections three (3) and four (4) of an act entitled "An act to authorize the Boards of Commissioners of the several counties in this State to purchase the toll roads in their respective counties and make them free," approved March 9, 1895, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Newby, by request, introduced Senate Bill No. 467, entitled :

A bill for an act authorizing the payment of John DeWaine, of Henry County, Indiana, for the death of his son Michael DeWaine, caused by the explosion of natural gas at the Soldiers' and Sailors' Orphans' Home, near Knightstown, Indiana, and making an appropriation therefor.

Read first time and referred to the Committee on Claims and Expenditures.

Senate Bill No. 16, vetoed by Governor Mount, for the reasons set forth in his veto message to-day, was taken up as the special order for 2 o'clock.

Senator LaFollette made the following motion :

MR. PRESIDENT :

I move that we receive the objections of the Governor to Senate Bill No. 16, and enter the same at large upon the Journal of the Senate, and that we proceed to reconsider said bill and pass the same, notwithstanding the objections of the Governor thereto.

LAFOLLETTE.

Which motion prevailed.

Senator O'Brien offered Senate Resolution No. 46, as follows :

MR. PRESIDENT :

I offer the following :

WHEREAS, There are a number of veterans of the Mexican war present.

*Resolved*, That this Senate do invite the said veterans to visit this Senate Chamber at 3 o'clock this P. M.

O'BRIEN.

Which resolution was adopted, and President of the Senate Haggard appointed Senators O'Brien, Humphreys and White as a Committee to extend the invitation.

The question being, Shall Senate Bill No. 16 pass, notwithstanding the objections of the Governor thereto?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bozeman, Collett, Culbert, Early, Ellison, Gilbert, Gochenour, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, Phares, Rinear, Shiveley, Watson, Wood. Total, 81.

Those voting in the negative were :

Senators Bethell, Bobilya, Campbell, Drummond, Duncan, Gill, Goodwine, Holler, Johnston of Dearborn, O'Connor, Patten, Schneck, Self, Stroup, Sweeney, White. Total, 16.

So Enrolled Senate Act No. 16 was passed, notwithstanding the objections of the Governor thereto.

This hour being the time for the special order on the Senate bills of the session of 1895, vetoed by Governor Matthews, the same were taken up.

The question being, Shall Enrolled Senate Act No. 475 of the session of 1895 pass, notwithstanding the objection thereto?

The roll was called.

Those voting in the negative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, New, Nusbaum, O'Conner, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Scroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the affirmative.

So the bill failed to pass over the veto of the Governor for want of a constitutional majority.

At this time the Mexican War Veteran's League entered the Senate Chamber.

Senator Sweeney moved that the Senate take a recess for ten minutes in honor of the veterans, and the motion prevailed.

Senator Watson moved that the Senators vacate their seats in order that the visiting soldiers might be seated.

The motion prevailed, and the veterans occupied the seats of the Senators during the addresses which followed.

General Mulkey, as President of the League, introduced General Lew Wallace, who addressed the Senate for a few minutes, giving a brief recital of the history of the Mexican War.

Governor Mount followed General Wallace, and he in turn was followed by Generals McGinnis, Niblack and Smiley, each of whom made short addresses.

During the course of the remarks of General McGinnis, he made Lieutenant Governor Haggard an honorary member of the Mexican War Veteran's League and presented him with a badge of the Order.

Senate Enrolled Act No. 37 of the session of 1895, vetoed by Governor Matthews, was taken up for consideration.

The question being, Shall the bill pass notwithstanding the objections of the Governor thereto?

The roll was called.

Those voting in the negative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, Patten, Phares, Rinear, Schneck, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 37.

None voting in the affirmative.

So Senate Enrolled Act No. 37 of the session of 1895 failed to pass over the veto of Governor Matthews.

Senator Newby was called to the chair to preside at 3:55

Senate Enrolled Act No. 419 of the session of 1895, vetoed by Governor Matthews, was taken up and read.

Senator Rinear moved to make the vetoed bills of the session of 1895 a special order for 3 o'clock p. m. Saturday.

The motion was lost.

The question being, Shall Senate Enrolled Act No. 419 of the session of 1895 pass notwithstanding the Governor's objections thereto?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, Mull, O'Brien, Patten, Phares, Schneck, Self, Watson, White. Total, 29.

Those voting in the negative were :

Senators Bobilya, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Rinear, Shea, Stroup, Sweeney. Total, 9.

So Senate Enrolled Act No. 419 of the session of 1895 passed notwithstanding the objection of Governor Matthews thereto.

Lieutenant Governor Haggard resumed the chair at 4:10.

Senate Enrolled Act No. 337, of the session of 1896, was taken up for the consideration of the Senate.

The question being, Shall the bill pass notwithstanding the objections of Governor Matthews thereto?

The roll was called.

Those voting in the affirmative were :

Senators Drummond, Hogate, Houghton, Mull, O'Brien, Phares, Self, Stroup. Total, 8.

Those voting in the negative were :

Senators Alexander, Bobilya, Bozeman, Campbell, Culbert, Duncan, Ellison, Hawkins, Holler, Horner, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, New, Nusbaum, O'Connor, Patten, Rinear, Schneck, Shea, Sweeney, Watson, White. Total, 26.

So Senate Enrolled Act No. 337, of the session of 1895, failed to pass over the Governor's veto.

Senator Hawkins called up Senate Bill No. 389 for Senator Shiveley.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Schneck, Shea, Sweeney, Watson, Wood. Total, 34.

Those voting in the negative were :

Senators Bobilya, Campbell, Drummond, Houghton, Johnston of Dearborn, O'Connor, Patten, Self, Stroup. Total, 9.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Self called up Engrossed House Bill No. 120.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneek, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 41.

Senators Ball and Self voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Stroup called up Senate Bill No. 351.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Campbell, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell,



Hugg, Humphreys, Johnson, Johuston, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Pat-ten, Phares, Rinear, Schneck, Self, Shea, Stroup, Watson, White, Wood. Total, 42.

Senator Sweeney voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Sweeney called up Senate Bill No. 287.

The bill was read a third time by sections.

Senator Sweeney moved that House Bill No. 387 be substituted for Senate Bill No. 287.

The motion prevailed.

Senator Watson made the following motion :

MR. PRESIDENT :

I move you that House Bill No. 387 be recommitted to a committee of one, with instructions that said bill be amended as follows, to wit: That the words "Treasurer of the county," in line 14, section 2, be stricken out, and the words "State of Indiana" be inserted in lieu thereof.

WATSON.

The motion prevailed.

Senator Sweeney, a committee of one, to which was referred House Bill No. 387, with instructions to make specific amendments, made the following report:

MR. PRESIDENT :

Your committee of one, to which was referred House Bill No. 387, with instructions, reports the same back amended as instructed.

SWEENEY.

Which report was concurred in.

The question being, Shall Engrossed House Bill No. 387 pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, Leich, McCord, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Stroup, Sweeney, Watson, White. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Watson called up Senate Bill No. 223.

The bill was read a third time by sections and put upon its passage.

Senator Watson made the following motion :

I move that Senate Bill No. 223 be referred to its author, a committee of one, and be amended as follows, to wit: That in line 11, section 1, the word "two," after the word "traveling," be stricken out; also, the word "deputies," after the word "traveling," in said line, be stricken out, and the word "deputy" be inserted in lieu thereof; also, the words "seven hundred and fifty," in line 14, of said section be stricken out, and "one thousand" be inserted in lieu thereof

WATSON.

The motion prevailed

Senator Watson, a committee of one, to which was referred Senate Bill No. 223 for amendment, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Senate Bill No. 223 for amendment, reports that it has amended said bill as specified by motion, and returns the same for the further consideration of the Senate.

WATSON.

Which report was concurred in.

The question being, Shall Senate Bill No. 223 pass ?

The roll was called.

Those voting in the affirmative were :

Senators Bozeman, Collett, Culbert, Drummond, Duncan, Ellison, Gilbert, Gostlin, Hawkins, Hogate, Houghton, Hugg, Johnson of Madison, Kerns, McCord, Mull, New, O'Brien, Schneck, Shea, Watson, White, Wood. Total, 23.

Those voting in the negative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Early, Gill, Gochenour, Goodwine, Holler, Horner, Hubbell, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Patten, Rinear, Self, Sweeney. Total, 20.

So the bill failed to pass.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 148 be recommitted to its author, with instructions to amend the same by substituting in lieu thereof the following :

ELLISON.

The motion prevailed.

Substitute Senate Bill No. 148, entitled :

A bill for an act prescribing certain duties of township trustees, providing for the appointment and compensation of an auditing board, prescribing duties and declaring an emergency :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the board of county commissioners of each county in this State shall constitute an auditing board to audit the warrants of the various township trustees within said county, as hereinafter specified. Said board shall meet the first Tuesday of the month following the passage of this act, and the first Tuesday in March of each year thereafter, at the auditor's office in such county and organize by the election of one of their number president, who shall be the one having the shortest time to serve, and one of their number secretary. They shall also meet at the same place the first Tuesday in

each month, in some public room in the court house, on such days, or, in the absence of a court house, in the office of the auditor of said county, who shall proceed to audit each and every warrant drawn by the several trustees of said county during the preceding month, except for the payment of teachers; and it shall be the duty of said board to investigate and learn for what purpose said warrant is drawn, whether or not it is a proper and reasonable charge against any of the funds of said township, whether or not the article for which any such warrant is drawn, is a proper and legitimate purchase of said township, or whether or not said township had use therefor, and whether or not the amount named in any warrant is a reasonable compensation for the article furnished, or labor or service performed, or whether or not there was any occasion for the purchase of or contracting for said article, or the procurement of said labor and services, and said Board shall audit said amounts and determine what warrants shall be issued by said several Trustees, and for what amounts, and shall write or stamp on the face of each warrant that it audited and approved the amount for which allowed; and which shall be signed by the President and Secretary of said Board. Any taxpayer of any township in the county may appear before said Board and except to any warrant drawn by the Trustee in such township being audited and issued, in whole or in part, stating his reasons therefor, and which exceptions the said Board shall hear in determining whether or not any warrant should be issued, or in what amount issued, in payment of the said indebtedness for which drawn by said Trustee.

SEC. 2. The Board of Commissioners of the proper county shall provide a record book for said Auditing Board for the proper registration of all warrants presented for their examination to be audited, showing in whose favor drawn, for what article or thing it is in payment, against what fund the amount asked, whether rejected or allowed, and if allowed, for what amount, whether protested or not, and name of the acceptor with the date of the incurrence of liability and of examination, and which said record as to each township when all warrants examined for the preceding month shall be signed by the said Board and shall constitute a public record.

SEC. 3. The said Board, when all said warrants for one month shall have been examined, shall make a report to the Circuit Court containing so much of their registry as relates to the warrants which have been rejected, such as have been allowed in part and all of which have been protested, and which shall be signed by them and transmitted, together with said warrants so allowed in part or rejected, or protested, to the then or first ensuing term of court, where the matters involved therein shall be heard and determined by said court at the earliest practicable moment. All questioned and controverted vouchers in any report for any one month shall be set down for hearing and trial at the same time and shall be heard and determined *de nova*, as near as practicable under the same rules as governed the trial of exceptions to reports to decedents' estates: *Provided*, That any one or more taxpayers of any township may appear and contest the payment of any warrant drawn by the Trustee of such township on such terms as to costs as the court trying the case may prescribe. And the court on final hearing may make such contestor a reasonable allowance to reimburse him for the expense incurred and trouble had as it may deem just to be paid out of the proper fund of such township.

SEC. 4. The said court trying such report of said Board may make such orders as to such warrant as in its judgment the law and facts justify and may order the warrants already drawn and certified by said Board to be delivered to said claimants, or may order the Trustee to draw and deliver warrants for such amounts as may to it seem proper, but in all cases such warrants, when accepted, shall be in full satisfaction for all claims and demands of every kind included in and which went to make up the amount for which said warrant was originally drawn by said Trustee.

SEC. 5. Any person in whose favor any warrant may be drawn and which has been allowed by said Board for a sum less than claimed by him, but not protested, and to which no exceptions have been filed in the Circuit Court on demand at any time before the same is heard by the court, or the same delivered to him, which when accepted shall be in full satisfaction of all claims and demands of every kind included in and which went to make up the amount for which said warrant was originally drawn by said Trustee.

SEC. 6. Any claimant, contestor or any taxpayer who may have contested the payment of any claim, may appeal to the proper court from any order or judgment given by the court on the trial of any report of such Board under the same rules that appeals are had in other cases.

SEC. 7. Any Township Trustee who shall deliver to any person any warrant contrary to the provisions of this act, or who shall pay any warrant which may have been delivered which has not been audited or ordered drawn, as provided in this act, shall be liable on his official bond in double the amount of such warrant so delivered or paid, to be recovered by any taxpayer of such township for the use of the particular fund of said township on which drawn or from which paid, and which, after the deduction of such amount as the court shall determine reasonable to compensate the plaintiff for any expenses incurred, including attorneys' fees in the prosecution of such suit and the collection of the judgment, to be set out in the order of the court rendering the judgment, shall be paid to the Trustee of the proper township, and by him credited to said fund, and the amount allowed by the court for prosecuting such suit shall be paid over to the party prosecuting the suit.

SEC. 8. The compensation of said Board shall be \$3.50 (three dollars and fifty cents) each per day for the time actually employed. In counties of less than 50,000 (fifty thousand) inhabitants, as it appears by the census of 1890, the members of said Board shall be allowed for only one day each in each calendar month. In all counties containing a population of more than 50,000 (fifty thousand), as appears by the census of 1890, two days each in each calendar month may be allowed, if necessary, for the completion of the work. Said amounts to be paid only on verified itemized claims, duly allowed by the Board of Commissioners of the proper county.

SEC. 9. The provisions of this act shall apply to all warrants drawn by the Township Trustee, both as to the civil and school township.

SEC. 10. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 11. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that they have examined Enrolled Senate Bill No. 381, introduced by Senator Duncan, and have compared the same with the engrossed bill, and find that said bill has been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator LaFollette, Chairman of the Committee on Building and Loan Associations, made the following report :

MR. PRESIDENT :

Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 284, the same being a bill for an act concerning building associations, introduced by Senator McCord, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill as amended do pass.

LA FOLLETTE,  
Chairman.

Which report was concurred in.

Substitute Bill No. 284 :

A bill for an act concerning building and loan fund and savings associations, and the fees and charges thereof, prescribing certain duties of persons named therein, and repealing all laws in conflict therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That every Association heretofore or hereafter incorporated under any law of this State providing for the incorporation of building, loan fund and savings associations, and every association heretofore or hereafter incorporated for the purpose of raising money to be loaned or advanced among its members, shall be known in this act as a building and loan association.

SEC. 2. That it shall be unlawful for any building and loan association doing business in the State of Indiana to charge or collect from any of the members thereof, on any stock or shares

of stock therein, any money or moneys other than membership fees, dues on stock, premiums, interest, fines and forfeitures. All membership fees, loan fees, fines, forfeitures, premiums and interest shall be credited to the earnings of such building and loan association and all expenses thereof shall be paid out of the earnings, and no association shall charge or collect a membership fee of more than fifty cents on each one hundred dollars of stock issued. Such association shall have the right to set aside from the profits a reserve fund to provide against contingent losses: *Provided*, That the total amount of such fund so set aside shall not at any time exceed five per centum of the assets of such association.

SEC. 3 It shall be the duty of every such association to furnish within thirty days after its annual statement to the Auditor of State an annual written or printed statement of the condition of such association to each of the stockholders thereof, which said statement shall be delivered personally or mailed to each stockholder. Such statement shall show separately, amount of membership fees, loan fees, dues, interest, fines, forfeitures, together with all moneys received by it from any source whatever, and a full showing of all payments on loans, dividends, salaries and all expenditures of every character, being a full and complete financial statement of such association during the preceding year. The statement shall be sworn to by the Secretary and certified by the Directors or a majority thereof.

SEC. 4. For the purposes of this act paid up stock shall be such stock as the owner shall have paid the full face value thereof at the time of the subscription therefor. Prepaid stock shall be stock upon which the owner shall have paid any specific sum in advance, at the time of subscription, leaving the balance necessary to mature the same to be paid by the dividends to be declared thereon by the association, or stock on which more than six months dues have been paid in advance. All building and loan associations, as such, shall be exempt from taxation. Shares of stock on which loans have not been made or advanced by the association, which stock is paid up or prepaid, shall be considered and held as credits of the members, individually, and listed by them, and assessed against them for taxation as other property.



SEC. 5. Any stockholder whose stock is unpledged for a loan, wishing to withdraw from such association within one year from the time of issuing his stock, may do so upon three months' notice in writing, given to the Board of Directors, when such withdrawing stockholder shall be entitled to receive the full amount of dues paid in upon the stock to be withdrawn, less all fines and pro rata share of losses sustained during such stockholder's terms of payment prior to the time of notice of withdrawal. If such withdrawal is made after one year from the time of issuing such stock, such withdrawing stockholder shall be entitled to the amount paid in on dues and all declared dividends thereon, and such part of the profits as shall have been carried to the reserve or contingent fund, less all fines and forfeitures: *Provided*, That not more than one-half of the funds in the treasury shall be applied to the demand of withdrawing stockholders unless otherwise ordered by the Board of Directors. Such association shall have the power to provide for the assessment of fines for nonpayment of dues, premium or interest; but such fines shall not exceed twenty per centum of the amount of the delinquent installment of dues, and shall be charged only once on such installment. Such association shall have the power to provide for the forfeiture of stock for the nonpayment of dues, premium or interest for three months. After the payment of all fines and other amounts due the association, the remainder, if any, shall be credited to such stockholder, and he shall be notified of the amount due him, or, in case he is a borrower, such remainder shall be credited on his loan, and the balance of said loan shall be due and payable, and may be collected at once on foreclosure. The bonds, notes or mortgages belonging to any association shall not be negotiable except upon an order of the Circuit Court or Superior Court or the Judge thereof in vacation, of the county in which the principal office of said association is situated.

SEC. 6. The capital stock of any association may be fixed originally in any sum, or upon the order of the Board of Directors thereof be increased to any amount the Directors shall deem advisable. No Director shall become a surety on the bond of any Secretary or Treasurer or any officer of such association.

**SEC. 7.** Any two or more associations of this State may consolidate into a single corporation by a majority vote of all the stockholders of the different associations at a special meeting of each association called for that purpose, of which at least thirty days' notice shall have been given to each member, the consolidation to be upon such terms of such association, and such terms shall be plainly set forth to each member in the notices of such special meetings. Any member not consenting to such consolidation shall be entitled to receive the withdrawal value of his stock in settlement, or to have such value applied in part settlement of his loan if he be a borrower.

**SEC. 8.** Any building and loan association organized under the laws of this State and doing business within the State may, within one year after the passage of this act, if its Board of Directors deem it advisable, go into liquidation; and for the purpose of so doing, may, at any regular or called meeting of its Board of Directors, adopt a resolution declaring that said association intends to go into liquidation and discontinue business as a building and loan association. A copy of such resolution, duly certified to by the President and Secretary of such association, under the seal thereof, shall be transmitted to the Auditor of State, within ten days after the passage thereof, together with a fee of one dollar for the filing of the same in his office; and thereupon the Auditor of State shall issue his certificate reciting that such resolution has been filed in his office, and that such association is in liquidation. After the filing of such notice it shall not be lawful for such association to issue any stock or to loan or advance its moneys to its members or any other persons; but all of its income and receipts of said association, in excess of the actual expense of managing the same, shall be applied to paying off the stock in said association upon which no loans have been made. The Board of Directors of such association in liquidation may adopt such rules and make such orders as shall be just and equitable for the sale and disposition of all property held by such association, the assessment of losses and for the division of the profits of such association.

Any such association which may go into liquidation under the provisions of this section, shall not be subject to any of the foregoing sections of this act, but its affairs shall be controlled

and regulated by the laws in force before the passage of this act until its affairs are wound up.

SEC. 9. Every building and loan association hereinafter incorporated, shall be styled "The ——— Building and Loan Association," according to the name adopted at its organization. No such association hereafter organized shall adopt, take or use, in whole or in part, the name of any other building and loan association organized under the laws of this State at the time of its existence, neither shall it adopt, take, or use, any name or part thereof, tending to indicate that it is under the management of the same officers as any other such association, or in any way connected with or related to any other such association. And it shall be unlawful for the Secretary of State to permit to be filed or to record any articles of incorporation containing any such name or part thereof as is herein prohibited. And if any two associations now incorporated shall have similar names, or names which in his judgment are liable to cause misunderstandings, the Secretary of State shall notify in writing the association last incorporated to change its name within thirty (30) days from the receipt of said notice, and any association failing to comply with said notice, shall be subject to a penalty of fifty (\$50) dollars per day for each day after said thirty (30) days that it fails and neglects to comply with said notice.

SEC. 10. It shall be competent and lawful for the borrower from such association to agree in writing upon a given rate of premium in addition to the interest to be paid upon such loan without bidding. All contracts heretofore made between any borrower and any such association for the payment of any premium, with or without any bidding, are hereby legalized. No premiums heretofore contracted for without bidding or to be contracted for under this section shall be deemed usurious.

SEC. 11. That where a foreign building and loan association doing business within this State has become insolvent, and its affairs are being wound up by a receiver, the failure of such association to have complied with the laws of the State respecting its admission to do business therein, shall not affect the right of such receiver to bring any suit necessary to wind up the affairs of such association.

**SEC. 12.** All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

**SEC. 13.** This act shall be in force from and after July 1, 1897.

Senator O'Brien, Chairman of the Committee on Federal Relations, Rights and Privileges of the State, made the following report :

**MR. PRESIDENT :**

Your Committee on Federal Relations, and Rights and Privileges of the State, to which was referred House Bill No. 450, introduced by Mr. Gibson, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

**JAMES O'BRIEN,**  
Chairman.

Which report was concurred in.

On motion of Senator Hawkins the Senate adjourned.

**W. S. HAGGARD,**  
President of the Senate.

**JAMES W. EGNEW,**  
Assistant Secretary of the Senate.

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## FRIDAY MORNING.

**FEBRUARY 26, 1897.**

The Senate convened at 10 o'clock with Lieutenant-Governor Haggard in the chair.

The Journal was ordered read, but after a portion of the same had been read the further reading of the same was dispensed with on motion of Senator Kerns.

Senator Goodwine introduced Senate Bill No. 468, entitled :

A bill for an act concerning the qualifications of County Superintendents.

Read first time and referred to the Committee on Education.

Senator Gilbert introduced Senate Bill No. 469, entitled:

A bill for an act concerning County Commissioners, regulating the term of office thereof, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 74, introduced by Mr. Lambert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred House Bill No. 76, a bill relating to the taxing of dogs and the protection of sheep, introduced by Mr. Remington, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that section sixteen (16) be stricken out, and that when so amended the bill do pass.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 198, introduced by Mr. Canada, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 458, introduced by Senator Stroup, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 456, introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 236, introduced by Mr. Babcock, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 447, introduced by Senator LaFollette, has had the

same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 584, introduced by Mr. Willoughby, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 424, introduced by Senator O'Connor, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was recommended Senate Bill No. 295, introduced by Senator Mull, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following substitute be made for the original bill, and that when so substituted it pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

## Substitute Senate Bill No. 295 :

A bill for an act concerning street, alley and sidewalk improvements and building of sewers in incorporated towns and cities of less than thirty thousand inhabitants, making assessments for the payment of the same, providing for the issuance of bonds in anticipation of the payment of assessments, repealing acts and parts of acts in conflict herewith, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That no incorporated town or city in this State of less than thirty (30) thousand inhabitants shall any assessment be made upon, or any lien attach to, any real estate bordering on, or abutting upon, any street, sidewalk or alley for, or on account of, any improvement of any kind made upon or in, any such street, sidewalk or alley pursuant to any order, resolution, ordinance or other action of the Board of Trustees of such town, or the common council of such city, if the resident owners of two thirds or more of the whole line of lots, parts of lots and parcels of ground abutting upon such proposed improvement, file with the Town Clerk or City Clerk a written protest against the making of said improvement.

SEC. 2. The aggregate amount of unpaid special assessments, on any lot or parcel of ground in any incorporated town or city, to pay for making street, alley and sidewalk improvements, and building sewers, shall at no time exceed fifty (50) per cent. of the last preceding assessed valuation of such lot or parcel of ground for State and county taxes: *Provided,* That if any proposed assessment would make the aggregate amount of unpaid special assessments on any such lot or parcel of ground more than fifty (50) per cent. of its assessed valuation, the excess over and above the said fifty (50) per cent. shall be paid by such incorporated town or city.

SEC. 3. All laws and parts of laws inconsistent with the provisions of section one (1) of this act are hereby repealed.

SEC. 4. An emergency is hereby declared for the immediate taking effect of this act, the same shall, therefore, take effect and be in force from and after its passage.



Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 237, introduced by Senator Mull, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator New, Chairman of the Committee on the Affairs of the City of Indianapolis, made the following report :

MR. PRESIDENT :

Your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 464, introduced by Senator Hugg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.

Which report was concurred in.

Senator Self called up House Bill No. 450.

Senator Sweeney moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, Mull, Nusbaum, O'Brien, O'Connor,

Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

And the bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Duncan called up House Bill No. 496.

And moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, Leich, McCord, Mull, Newby, Nusbaum, O'Brien, O'Connor, Patten,

Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 45.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 126, 484 and 295, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 429, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 126, entitled :

A bill for an act to amend section 8 of an act entitled "An act in relation to County Treasurers," approved June 4, 1852, the same being section 5920 of the Revised Statutes of 1881.

Read a first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 484, entitled :

A bill for an act to amend section 1 of an act entitled an act providing for the tiling of public drains that have been constructed as open drains under the laws of the State of Indiana. Approved February 27, 1893, and declaring an emergency, being section No. 4284m of Horner's Annotated Edition.

Read first time and referred to Committee on Swamp Lands and Drains.

Engrossed House Bill No. 295, entitled :

A bill for an act to require the listing of bonds, notes and other evidences of debt or promises to pay money for purposes of taxation, prescribing the duties of certain officers in connection therewith, and fixing penalties for the violation thereof.

Read first time and referred to the Committee on Judiciary.

Senator Stroup called up Senate Bill No. 458, and moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended.

The roll was called.

Those voting in the affirmative were :

Senators Bethell, Bobilya, Bozeman, Campbell, Drummond, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, Linck, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson, White, Wood. Total, 40.

Those voting in the negative were :

Senators Ball, Collett, Culbert. Total, 3.

So the constitutional rule was suspended, the bill was read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Gill, Gocheinour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Leich called up Senate Bill No. 251.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Early, Ellison, Gilbert, Gill, Gocheinour, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senate Joint Resolution No. 5 was called up by Senator Early, and was read a second time by title.

Senator Early moved that the constitutional rule requiring that bills be read on three several days be suspended, that Senate Joint Resolution No. 5 be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Drummond, Early, Ellison, Gilbert, Gill, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 40.

None voting in the negative.

So the constitutional rule was suspended.

The joint resolution was read a third time by sections and put upon its passage.

The question being, Shall the joint resolution pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bobilya, Bozeman, Campbell, Culbert, Drummond, Early, Ellison, Gilbert, Gill, Gochenour, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 38.

Those voting in the negative were :

Senators Bethell, Humphreys, Johnston of Dearborn.  
Total, 3.

So the joint resolution passed.

The question being, Shall the title of the joint resolution as introduced stand as the title of the joint resolution as passed ?

It was so ordered.

Senator O'Connor called up House Bill No. 103.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Linck, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator White called up Senate Bill No. 321.

The bill was read a third time by sections.

The following message was received from the Governor :

INDIANAPOLIS, IND., Feb. 26, 1897.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has caused Senate Enrolled Act No. 339, an act concerning the incorporation and government of cities having more than

one hundred thousand population, repealing certain sections and declaring an emergency, to be deposited with the Secretary of State without his approval.

The Governor also directs me to inform the Senate that he has approved and signed Senate Enrolled Act No. 90, an act concerning the salaries of Auditor and Treasurer in certain counties and declaring an emergency.

Also :

Senate Enrolled Act No. 341 :

An act to amend sections two and four of an act entitled an act to amend sections four, six, eight, nine, ten and eleven of an act concerning the incorporation of cities having more than one hundred thousand inhabitants and declaring an emergency.

Also :

Senate Enrolled Act No. 117 :

An act establishing a reformatory.

All of which have been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,

Private Secretary.

To the Honorable President of the Senate.

Read in the Senate at 11:05 o'clock A. M. on Friday, February 26, 1897.

Senator Hogate made the following motion :

MR. PRESIDENT :

I move to recommit Senate Bill No. 321 to the author of the bill, with instructions to amend the same by adding immediately following the words "payment of the taxes due thereon," in line 50 of section 1, the following: "which return shall be filed with the County Auditor prior to the first Monday in December in each year. On the first Monday in December in each year the County Board of Review shall reassemble for the purpose of examining the facts set forth in said return and to determine what, if any, credit shall be allowed to said Treasurer on account of delinquent taxes remaining uncollected



and for the purpose of such determination said County Board of Review shall examine into the particular facts set forth in said return and the particular credits claimed by said Treasurer on account of his inability to collect said delinquent taxes; and said Board is for that purpose authorized to administer oaths and send for persons and papers and compel witnesses to attend and answer under oath, touching any matter contained in or connected with such return and such uncollected delinquent taxes and no credit whatever shall be allowed to said Treasurer on account of such unpaid delinquent taxes unless upon such inquiry it shall appear to said County Board of Review that said County Treasurer has fully complied with all the requirements of the statute in reference to the collection of such delinquent taxes, and unless it appears to the satisfaction of said Board that such delinquent taxes were not collectible by the exercise of due diligence on the part of said County Treasurer. For the purpose of such hearing, investigation and determination, neither the County Treasurer nor the County Auditor shall participate in the examination or conclusion, but the Auditor shall act as Secretary of the Board as so constituted. Said Board shall remain in session for such purpose not exceeding ten days.

From the decision by said County Board upon the credit to be allowed to said County Treasurer for such delinquent taxes upon such returns, an appeal may be had within ten days from such decision by said County Treasurer, any member of the County Board of Review, any tax-payer of the county or any State officer, to the State Board of Tax Commissioners, and upon such appeal the Auditor of the county shall forthwith certify to the Auditor of State a copy of the return so made by said County Treasurer, together with the order of the County Board of Review and such other papers and data as may be necessary to fully inform said State Board of Tax Commissioners of the action by said County Board and the reasons therefor and upon the filing of said appeal with the Auditor of State he shall forthwith convene said State Board of Tax Commissioners for the purpose of determining such appeal and other similar appeals, and upon the hearing of such appeals said State Board of Tax Commissioners shall have the power to send for persons and papers and investigate fully into said return and the facts connected therewith and shall make such

order with respect to said appeal and the credit to be allowed to said Treasurer as upon investigation shall appear to said Board proper; and thereupon said Auditor of State shall forthwith certify the action of said State Board of Tax Commissioners to the proper County Auditor for this action in making settlement with said County Treasurer. Whenever it shall appear to said County Board so in session that the total taxes remaining delinquent at the time for the payment of either the April or November installment, said Treasurer has collected not less than thirty per cent. of such delinquent taxes he shall be allowed a commission of three per centum upon such delinquent taxes so collected; and in case he has collected forty per cent. of such delinquent taxes he shall be allowed a commission of four per centum, and in case he has collected fifty per cent. of such delinquent taxes, he shall be allowed a commission of five per centum; and in case he has collected sixty per cent. of such delinquent taxes, he shall be allowed a commission of six per centum; and in case he has collected seventy per cent. of such delinquent taxes, he shall be allowed a commission of seven per centum; and in case he has collected eighty per cent. or more of said delinquent taxes, he shall be allowed a commission of eight per centum of the total taxes so collected, which said commissions so allowed to him shall not be included in or taken as a part of the salary provided by this act, but shall be in addition to said salary: *Provided, however,* That in no contingency shall the Treasurer be allowed any commission whatever for delinquent taxes collected where such collections were made by sale of real estate."

And by striking out all of said section as it now exists after the words, "payment of the taxes due thereon," in said line 50, and further to amend the same by substituting for section 2 the following:

SEC. 2. That section 120 of said act be amended to read as follows:

Section 120. County Auditors shall not credit the Treasurer with any uncollected delinquent taxes for which he claims credit unless such Treasurer shall show by proper returns, as above provided, verified by his oath or affirmation that he had diligently sought for and has been unable to find any personal property from the sale of which he has been able to collect

such taxes, or that having made a levy the same was exempt or that he was enjoined or otherwise prevented from making sale or collection by a court of competent jurisdiction; and unless such credit shall be authorized by the County Board of Review upon an examination of the return of such Treasurer, and in case of appeal from the order or allowance by said County Board of Review, unless the same shall be authorized upon said appeal by the State Board of Tax Commissioners; and in all cases where said Treasurer has failed to make demand upon residents who are delinquent or to levy and sell when personal property can be found in the county out of which to make the tax, he shall be liable on his official bond at the suit of any tax-payer of the county or of the County Auditor or the Auditor of State, or any tax commissioner thereof, for such uncollected delinquency and ten per cent. damages thereon, which amount when collected shall be paid into the county treasury and distributed as the original amount, if collected, would have been distributed.

And to further amend said bill by striking out the emergency clause thereof.

And to amend the title of said bill by inserting after the words "section 119" the words "and 120," and by striking out the emergency clause in said title.

HOGATE.

Which motion did not prevail.

The question being, Shall Senate Bill No. 321 pass?

The roll was called.

Those voting in the affirmative were:

Senators Bobilya, Duncan, Early, Gilbert, Gostlin, Hogate, Holler, Hubbell, Mull, Newby, Nusbaum, Rinear, Self, Shiveley. Total, 14.

Those voting in the negative were:

Senators Alexander, Ball, Bethell, Campbell, Collett, Culbert, Drummond, Gill, Goar, Gochenour, Hawkins, Horner, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, New, O'Brien, O'Connor, Patten, Phares, Schneck, Sweeney, Watson, White, Wood. Total, 29.

So the bill failed to pass.

Senator Mull asked that Senator Hogate be excused until Monday morning.

Which request was granted.

Senator Wood called up Senate Bill No. 316.

The bill was read a third time by sections.

Senator Newby moved that Senate Bill No. 316 be made a special order for 2 P. M. next Tuesday.

And the motion prevailed.

Senator Rinear called up Senate Bill No. 148.

Which was read a third time by sections yesterday.

Senator Bobilya moved to make Senate Bill No. 148 a special order for 10 o'clock A. M. Tuesday.

Which motion was lost.

Senator Newby made the following motion :

MR. PRESIDENT:

I move to commit Senate Bill No. 148 to its author, with instructions to amend same by striking out the words "the first Tuesday in each month," in line 9, section 1.

NEWBY.

Which motion was lost.

Senator Newby made the following motion :

MR. PRESIDENT:

I move to recommit Substitute Senate Bill No. 148 to its author, with instructions to amend the same by striking out the words "the first Tuesday in each month, in line 9, in section 1, and insert in lieu thereof the following: "And time as now fixed by law," and by striking out of line 12 the words "during the preceding months."

NEWBY.

Which motion prevailed.

Senator Duncan, a committee of one, to whom was referred Senate Bill No. 148, with instructions to make specific amendments, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred S. B. No. 148, with instructions, has amended the same in conformity therewith, and returns the bill for the further action of the Senate.

DUNCAN.

Which report was concurred in.

The question being, Shall Senate Bill No. 148 be passed by the Senate?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bozeman, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Holler, Houghton, Hugg, LaFollette, Mull, New, Newby, Nusbaum, O'Brien, Rinear, Schneck, Self, Shea, White, Wood. Total, 29.

Those voting in the negative were:

Senators Bobilya, Campbell, Drummond, Gochenour, Horner, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, O'Connor, Patten, Phares, Stroup, Sweeney. Total, 15.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hugg moved that the rules of the Senate be suspended as regards to Senate Bill No. 401 and House Bill No. 495.

The motion prevailed.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Senate Bill No. 194, introduced by Senator Hawkins, has had

the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the following bill be substituted for Senate Bill No. 194, and when so substituted we recommend that the same do pass.

CHARLES S. GOAR,  
Chairman.

Substitute Senate Bill No. 194, entitled :

A bill for an act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of licenses to practice, providing for the appointment of a State Board of Medical Registration and Examination, and defining their duties, defining certain misdemeanors and providing penalties, and repealing all laws in conflict therewith and certain acts therein specified.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall hereafter be unlawful for any person to practice medicine, surgery or obstetrics in this State without first obtaining a license so to do, as hereinafter provided.

SEC. 2. After this law goes into effect any person desiring to begin the practice of medicine, surgery or obstetrics in this State shall procure from the State Board of Medical Registration and Examination a certificate that such person is entitled to a license to practice medicine, surgery and obstetrics in the State of Indiana; and in order to procure such certificate the applicant shall submit to the State Board of Medical Registration and Examination his diploma, with an affidavit setting forth the time and under what circumstances said diploma was received, and that the affiant is the person to whom such diploma was issued. Such application shall be accompanied by the affidavits of two freeholders resident in the same county in which the applicant resides, stating that the applicant is the person named in the accompanying diploma and application for a certificate. All diplomas received by the Board shall be returned to the person owning the same. Such applicant shall pay to said Board the sum of six dollars (\$6) at the time of making such application. All persons practicing medicine, surgery and obstetrics in the State of Indiana when this law goes into effect, and desiring to continue the same, shall, within ninety days thereafter, obtain a certificate that they are entitled to do so by presenting to the State Board of Medical

Registration and Examination the license possessed by them at the time of the passage of this law, together with the affidavit that they are the legal possessors of the same and the persons mentioned therein, and such applicant shall pay to the Board the sum of one dollar (\$1.00) at the time of making such application. The Board shall thereupon issue to such applicant a certificate, which, when presented to the County Clerk of the proper county, shall entitle the holder to a license to practice medicine, surgery and obstetrics in the State of Indiana.

In the event an applicant for a certificate from the State Board of Medical Registration and Examination shall present a diploma from a medical college which is not recognized as maintaining a sufficiently high grade or standard of medical education as defined and fixed in the records of the Board, the applicant shall have the privilege of being examined as to his qualifications to practice medicine, surgery and obstetrics in such manner as the Board shall provide, and if he shall pass an examination satisfactory to the Board he shall receive a certificate the same as if he had presented a satisfactory diploma and other evidences of qualifications for the practice of medicine. But if he should fail to pass such examination he shall be permitted to submit to another examination within twelve months from the time of first examination. He shall pay to the State Board of Medical Registration and Examination the sum of twenty five dollars (\$25), fifteen dollars (\$15) of which sum shall be returned to him in the event of his failing to pass said examination: *Provided, however,* That payment of said sum of twenty-five dollars (\$25) shall entitle him to a re-examination in case of failure at the first or any subsequent examination: *And provided, further,* That if such applicant shall fail to pass the examination prescribed by such Board of Medical Registration and Examination, he shall have the right to appeal to the Circuit or Superior Court of the proper county, requiring such Board to show cause why such applicant should not be permitted to practice medicine, surgery and obstetrics in the State of Indiana, upon the applicant giving a good and satisfactory bond, to be approved by the Court, to secure all costs of suit should appeal be determined against him. Upon the receipt of the certificate by the applicant from the State Board of Medical Registration and Examination, the applicant shall, upon the presentation

thereof to the Clerk of the county in which he resides, receive from the County Clerk a license to practice medicine, surgery and obstetrics within the State of Indiana. The person receiving such license shall pay to the County Clerk fifty cents (\$0.50) as his fee for issuing and recording such license as hereinafter provided. In case of change of residence from one county to another within this State, the holder of a physician's license shall obtain a new license in the county where he proposes to reside, by filing with the County Clerk the license obtained by him in the county in which he last resided, in the same manner as provided for on the presentation of his certificate from the State Board of Medical Registration and Examination, and the Clerk shall issue him a new license.

SEC. 3. It shall be the duty of the Clerk of the county in which an applicant resides to issue to the person presenting such certificate as hereinbefore provided for, a license under his official seal in the following form:

STATE OF INDIANA, }  
COUNTY OF ..... } ss.

I, ....., Clerk of the Circuit Court of ..... County, in the State of Indiana, do hereby certify that ..... has complied with the laws of the State of Indiana relating to the practice of medicine, surgery and obstetrics in the county and State aforesaid.

Witness my hand and seal of said Court this ..... day of  
....., 189.....

.....

Clerk.

The County Clerk shall enter of record the name, age, place and [of] birth, address, school or system of medicine to which said applicant belongs, and the person so registering shall subscribe to and verify by oath before such Clerk an affidavit concerning such facts, which, if willfully false, shall subject the affiant to conviction for perjury. The County Clerk shall furnish annually, on the first day of January, to the State Board of Medical Registration and Examination, upon blanks furnished by said Board, a duplicate list of all certificates received and licenses issued by him during the preceding year, and shall include therein the date of issue of said license, and the name, age and residence of the person receiving the same.



**SEC 4.** Within thirty days after this law goes into effect it shall be the duty of the Governor of the State of Indiana to appoint a State Board of Medical Registration and Examination, composed of five (5) members, who shall serve, two for one year, one for two years, one for three years, and one for four years, and their successors for a term of four years each. No school or system of medicine shall have a majority representation on such Board. Said Board shall be non-partisan, and not more than three shall be members of any one political party. The Governor shall select members of said Board of Medical Registration and Examination from reputable physicians in this State who are graduates of any college of medicine of good repute: *Provided*, That no professor or teacher in a medical college shall be appointed as a member of such Board: *Provided, further*, That each of the four schools or systems of medicine having the largest numerical representation in the State shall have at least one representative on said Board. Should a vacancy occur in said Board by death, resignation, removal or otherwise, then it shall be the duty of the Governor to fill the vacancy from the school or system entitled to representation by virtue of such vacancy. The Governor shall have the power to remove any member of said Board for incompetency, gross immorality, for any abuse of his official power, or for other good cause, and may fill any vacancy thus occasioned by appointment. Any person appointed to fill any vacancy on such Board, whether occasioned by death, resignation, removal, or otherwise, shall hold for the unexpired term of the member whose place he is appointed to fill.

**SEC. 5.** It shall be the duty of the members of the State Board of Medical Registration and Examination to meet in the city of Indianapolis within thirty days after their appointment, and organize by the election of a President, Secretary and Treasurer, who shall serve until the second Tuesday in January following, and their successors shall be elected on the second Tuesday in January annually thereafter. The said Board shall hold regular meetings on the second Tuesday in January, April, July and October of each year, and as often in addition as may be necessary for the transaction of such business as may properly come before it under the provisions of this act, and shall have power to make all necessary rules and regulations for the transaction of its business. For their services

the members shall receive the sum of ten dollars (\$10.00) per day, and their traveling expenses necessarily incurred in attendance upon such meetings. It shall be the duty of said Board to keep a record of all applications for certificates, and such record shall contain all the facts set forth in such applications, including the action of the Board thereon, and the said Board may employ a clerk, and fix his salary at not more than one thousand dollars (\$1,000) per annum. It shall be the duty of the Treasurer of said Board to pay quarterly all moneys received by the Board to the Treasurer of the State, which moneys shall be credited to a separate and permanent fund for medical registration and examination, which is hereby created. All moneys so paid to the Treasurer of State shall remain and be a separate and permanent fund for the maintenance of the said Board of Registration and Examination.

The said Board shall, by its President and Secretary, from time to time, certify to the Auditor of State, the necessary expenses incurred by the said Board, including the salaries and *per diem* of the members, and the Auditor shall issue his warrant for the same, which shall be paid out of the fund so established for the maintenance of the said Board: *Provided*, That no order shall be drawn by any State official on any fund other than the above named fund for any salaries, printing or stationery, or other expenses incident to the administration of this act. The Treasurer and Secretary of said Board shall each give bond in the sum of ten thousand dollars (\$10,000) with sureties, to be approved by the Governor, which bonds shall be filed with the Auditor of State. The members of the State Board of Medical Registration and Examination are authorized to administer oaths in matters relating to the discharge of their official duties. The State Board of Medical Registration and Examination is charged with the duty of enforcing this act, and it shall be the duty of the Prosecuting Attorney, upon the complaint of the Board, to prosecute any violation of this act. The State Board of Medical Registration and Examination shall, from time to time, establish and record in a record, kept by them for that purpose, a schedule of the minimum requirements, which must be complied with by applicants for examination for license to practice medicine, surgery and obstetrics, before they shall be entitled to receive such license. The said

Board shall also, in like manner, establish and cause to be recorded in such record a schedule of the minimum requirements and rules for the recognition of medical colleges, so as to keep these requirements up to the average standard of medical education in other States. After the year 1897 no change shall be made in such schedules of requirements in any year, after the month of January of such year, nor shall any change be made to have any retroactive effect, or that shall affect students theretofore matriculated. Such record shall at all times be open to examination by the public, and the said schedules of requirements, after they have been established and recorded, and all changes made therein, shall be printed in circular form and mailed to all medical colleges in the State, and shall also be furnished to any person upon application. Said Board shall not, in the establishment of the aforesaid schedules of requirements, discriminate for or against any school or system of medicine, nor shall it prescribe what system or systems, or schools, of medicine shall be taught in any of the colleges, universities or other educational institutions of the State. It shall have power to make and establish all necessary rules and regulations for reciprocal recognition of certificates issued by other States, and to prevent unjust and arbitrary exclusions by other States of graduates in medicine from this State, who have filled its requirements. When an application for a certificate is made, and a diploma submitted, as herein provided, it shall be the duty of the State Board of Medical Registration and Examination, to determine, upon the evidence presented, whether such diploma rightfully belongs to and was issued to the person making application for a certificate, and whether the medical college that issued the diploma maintains a standard of medical education, conforming to that fixed by the State Board of Medical Registration and Examination, and whether the application otherwise complies with the rules of the Board. If these facts are shown by competent evidence, it shall be the duty of the State Board of Medical Registration and Examination to issue a certificate, signed by its President and Secretary, and under its official seal, stating that the person applying for such certificate and possessing such diploma, is entitled to a license to practice medicine, surgery and obstetrics in the State of Indiana. The State Board of Medical Registration and Examination shall

have the right to review the evidence upon which a license has been obtained, and if it shall be found that a license has been obtained by fraud or misrepresentation, the Board may revoke such license. The Board may refuse to grant a certificate to any person guilty of a felony or gross immorality, or addicted to the liquor or drug habit to such a degree as to render him unfit to practice medicine or surgery, and may, after notice and hearing, revoke a certificate for like cause. An appeal may be taken from the action of the Board. If any person holding a license under the provisions of this act, shall be guilty of any of the above enumerated acts, the license of such person may be revoked by the Board, upon a finding and judgment as hereinafter provided that the holder thereof has been guilty of any of the above enumerated acts. A specific written charge, verified by affidavit, must be presented to the Board, making definite and specific charges of such offense against the holder of such license. It shall thereupon be the duty of the Board to refer such verified charge to the Circuit Court of the county in which the holder of such license resides. The Clerk of such Court shall thereupon docket the same as a cause pending in said Court. The said verified charge shall be treated as a complaint, and summons shall issue thereupon to the accused, as in ordinary civil cases. The accused may appear and plead to said charge, and issue may be formed thereon, as in civil cases, which shall be thereupon tried by the Judge of said Circuit Court. It shall be the duty of the Prosecuting Attorney of said Circuit to appear in such causes and represent the Board. The only finding and judgment in such cases shall be guilty or not guilty as to each charge. The judgment of the Court upon such charges shall be at once certified to the Board by the Clerk of said Court. If the finding of the Court is "guilty" as to any one of said charges, said Board may thereupon make an order revoking such license. If judgment of "guilty" is awarded in such cause, the costs of such proceeding shall be recovered of the accused and a fee of ten dollars shall be taxed therein in favor of the Prosecuting Attorney.

SEC. 6. All persons practicing midwifery in this State, and who have practiced it for ten years last preceding the passage of this act, and desiring to continue the same, shall, within ninety (90) days thereafter, make application to the State Board

of Medical Registration and Examination by submitting an affidavit, fully attested, giving the name, age, residence, the length of time during which, and the place or places at which the applicant has been engaged in such practice, and the special education, if any, which the applicant has received for such practice. Such application shall be accompanied by the affidavits of two freeholders, duly attested, that the applicant is known to them as the person applying for a certificate to practice midwifery, and that such applicant has been engaged in the active practice of midwifery, giving the location or locations of such practice for at least ten (10) years previous to the passage of this act. Upon such application and the payment of one (\$1) dollar, the State Board of Medical Registration and Examination shall issue to the applicant a certificate, which shall, when presented to the County Clerk, entitle the holder to a license to practice midwifery in this State. All persons desiring to enter upon the practice of midwifery in this State after this law goes into effect, shall present to the State Board of Medical Registration and Examination their diplomas, duly attested, and procured from an obstetrical school of such standing as shall be recognized and determined by the Board; or shall submit to such examination in midwifery as the Board shall require, and pay a fee of three (\$3) dollars. Such evidence of qualification being satisfactory to the Board, it shall issue a certificate entitling the holder to a license from the Clerk of the county in which the applicant resides, which license shall entitle the holder to practice in midwifery in this State. The license thus issued shall conform to all requirements of registration imposed upon physicians' licenses in section 2 of this act, and shall be subject to revocation for the same causes as provided in section 5 in case of license to physicians.

Sec. 7. Nothing in this act shall be so construed as to discriminate against any school or system of medicine, or to prohibit gratuitous services in cases of emergency, or to the administration of family remedies. This act shall not apply to any commissioned officer of the United States Army, Navy, or Marine Hospital service in the discharge of his official duties; nor to any physician or surgeon who is legally qualified to practice in the State or Territory in which he resides when in actual consultation with a legal practitioner of this State; nor

to any physician or surgeon residing on the border of a neighboring State, and duly authorized to practice under the laws thereof, whose practice extends into the limits of this State: *Provided*, That such practitioner shall not open an office, or appoint a place to meet patients or receive calls within the limits of this State. This act shall not be construed to prevent medical students from practicing medicine and surgery under the immediate and direct supervision of a licensed physician, nor shall it apply to legally qualified dentists when engaged in the exclusive practice of dentistry, nor to any optician who shall hereafter engage in the practice of optometry. This law shall not be construed to apply to non-itinerant opticians engaged in the practice of optometry in this State at the time and prior to the passage of this act.

SEC. 8. To open an office for such purpose, or to announce to the public in any way a readiness to practice medicine in any county of the State, or to prescribe for, or to give medical or surgical assistance to those suffering from disease, injury or deformity, shall be to engage in the practice of medicine within the meaning of this act.

SEC. 9. Any person who shall practice medicine, surgery or obstetries in this State, without having a license duly issued, as hereinbefore provided, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

SEC. 10. All laws and parts of laws in conflict with this act are hereby repealed, and also an act entitled an act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of license to practice, defining certain misdemeanors and providing penalties, approved April 11, 1885, and all amendments thereto be and the same are hereby repealed.

Which report was concurred in.

On motion of Senator Newby the Senate adjourned.

## FRIDAY AFTERNOON.

FEBRUARY 26, 1897.

The Senate convened at 2 o'clock, with Lieutenant-Governor Haggard in the chair.

Senator Hubbell called up Engrossed Senate Amendment to House Bill No. 277.

The bill as amended was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Holler, Horner, Houghton, Hubbell, Hugg, Humphrey, Johnson of Madison, Kern, Leich, Mull, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shiveley, Stroup, Sweeney, White. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Sweeney offered Senate Resolution No. 49, as follows :

WHEREAS, Each member of the Senate has been provided with a set of the Revised Statutes of 1896; and

WHEREAS, A copy of the latest compilation of the statutes of the State is necessary, not only for the convenience of members, but also for a proper and intelligent discharge of their duties; therefore, be it

*Resolved*, That the Secretary of the Senate be instructed to draw his warrant on the Auditor of State in favor of the publishers or their agent for the sum of seven dollars and fifty



cents per set for such books, that being little more than one-half the selling price.

SWEENEY.

Senator Shiveley moved that Senate Resolution No. 49 be referred to the Committee on Finance.

The question being, Shall the resolution be so referred?

The yeas and nays were demanded by Senators Horner and Sweeney.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Hawkins, Holler, Houghton, Hugg, Johnson of Madison, Kerns, LaFollette, Newby, O'Brien, Phares, Schneck, Shiveley, Watson, White, Wood. Total, 25.

Those voting in the negative were :

Senators Bobilya, Drummond, Gill, Humphreys, Leich, Nusbbaum, O'Connor, Patten, Rinear, Stroup. Total, 10.

So the motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 597, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 256 and 79, introduced by Senators McCord and Shiveley, and has compared the same with the engrossed bill and finds that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.



Senator Wood called up Senate Bill No. 294.

The bill was read a third time by sections.

Senator Ball made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 294 be recommitted to its author, with instructions to strike out the words "beginning such work or," in line 9, in section 1.

BALL.

Which motion did not prevail.

Senator Self made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 294 be recommitted to the author, with specific instructions to amend said bill by striking out section 2 of said bill.

SELF.

Which motion prevailed.

Senator Hawkins, a committee of one, to whom was referred Senate Bill No. 294, with instructions to make specific amendments, made the following report :

MR. PRESIDENT :

Your committee of one would report that the bill has been amended as required, and reports the same back for further action.

HAWKINS.

Which report was concurred in.

Senator Houghton was called to the chair to preside at 2:30.

President Haggard resumed the chair at 2:45.

The question being, Shall Senate Bill No. 294 pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bobilya, Drummond, Early, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Horner, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Schneck, Self, Shea, Sweeney, Watson, Wood. Total, 26.

Those voting in the negative were :

Senators Alexander, Bethell, Bozeman, Campbell, Collett, Culbert, Duncan, Ellison, Gilbert, Gill, Holler, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Rinear, Shiveley, Stroup, White. Total, 21.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bill No. 381, introduced by Senator Duncan, and has compared the same with the engrossed bill, and finds that said bill has been properly enrolled.

W. C. BALL,  
Chairman.

Which report was concurred in.

Senator Gilbert called up Senate Bill No. 401.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, Phares, Self, Shiveley, Watson, White, Wood. Total, 31.

Those voting in the negative were :

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, O'Connor, Patten, Rinear, Shea, Stroup, Sweeney. Total, 15.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hugg called up Engrossed House Bill No. 495.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 31.

Those voting in the negative were:

Senators Alexander, Bobilya, Campbell, Drummond, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Rinear, Shea, Stroup, Sweeney. Total, 15.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hubbell made the following motion:

MR. PRESIDENT:

I move to amend the title of House Bill No. 277 by striking out all after the words "a bill for an act," and inserting in lieu thereof the following: "To authorize the Board of Trustees of incorporated towns having a population of fifteen hundred persons, or less, to refuse to elect school trustees, and to place the schools in such towns under the care and control of the Township Trustees of the school townships in which such town is located, and abolishing school town corporations in such towns and declaring an emergency."

HUBBELL.

The motion prevailed.

Senator Hubbell made the following motion :

MR. PRESIDENT :

I move to amend House Bill No. 277 by striking out all after the enacting clause and inserting the following: " That in all incorporated towns of this State having a population of fifteen hundred persons, or less, as shown by the last preceding United States census, the Board of Trustees of any such incorporated town of this State which has not taken control of the public schools, but which are now under the control of the township, in which such town is located, may, at their option, refuse to elect School Trustees as provided for in section 4439 of the Revised Statutes of 1881; and in such case the care and control of the schools of such incorporated town shall be and continue under the control of the Township Trustees of the school township in which such incorporated town shall be situated, the same as the schools of such school townships not located within the limits of such incorporated town, and in any such town no school town corporation shall exist until School Trustees are elected therefor, according to section 4439 of the Revised Statutes of 1881.

Section 2. Whereas an emergency exists for the immediate taking effect of this act, therefore, the same shall be in force from and after its passage."

HUBBELL.

Which motion prevailed.

Senate Bill No. 284 was called up by Senator Newby and ordered engrossed.

Senator Horner called up Senate Bill No. 434.

The bill was read a second time by title.

Senator Horner moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Culbert, Drummond, Duncan, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Holler, Horner, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 39.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Holler, Horner, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, New, Nusbaum, O'Brien, Patten, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Watson called up Enrolled House Bill No. 182.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Holler, Horner, Humphreys,

Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The roll was ordered called for House bills on second reading.

Senator Alexander called up House Bill No. 153.

The bill was read a second time by title and passed to third reading.

Senator Ball called up House Bill No. 264.

The bill was read a second time by title.

Senator Ball offered Amendment No. 1:

MR. PRESIDENT:

I move that Engrossed House Bill No. 264 be amended by adding the following after the word "accordingly" in line ten of section 2:

*Provided further*, That proof that lodging, food, entertainment or other accommodations was obtained by false pretense or by false or fictitious show or pretense of any baggage or other property or that the person or persons absconded without paying or offering to pay for such food, lodging, entertainment or other accommodation or that the person or persons surreptitiously removed or attempted to remove his or her baggage, shall be *prima facie* proof of the fraudulent intent mentioned in section 1.

BALL.

Which amendment was lost on a division of the Senate by which fifteen Senators voted in the affirmative and eighteen voted in the negative.

The bill was passed to third reading.

Senator Gilbert was called to the chair at 4:15.

Senator Bobilya called up House Bill No. 300.

The bill was read a second time by title and passed to third reading.

Senator Bozeman called up House Bill No. 480.

The bill was read a second time by title.

Senator Gochenour offered the following amendment :

MR. PRESIDENT :

I move to amend House Bill No. 480 by striking out sections 2 and 3 of said bill.

GOCHENOUR.

Which amendment was adopted, and the bill ordered engrossed.

President of the Senate Haggard resumed the chair at 4:25.

Senator Early called up House Bill No. 237.

The bill was read a second time by title and passed to third reading.

Senator Culbert called up House Bill No. 239.

The bill was read a second time by title.

Senator Hawkins offered the following, Amendment No. 1 :

MR. PRESIDENT :

I move to amend House Bill No. 239 by striking out the words "except the Secretary thereof," in lines 6 and 7, of section 7 of said bill.

HAWKINS.

Which amendment was adopted.

Senator Nusbaum offered Amendment No. 2 to Senate Bill No. 239 :

MR. PRESIDENT :

I offer the following amendment to Engrossed House Bill No. 239 : By striking out all of that part of section 10, in line 2, beginning with the word "in" and ending with the word "physician," in line 4.

NUSBAUM.

Which amendment was not adopted.

Senator Phares offered Amendment No. 3 :

MR. PRESIDENT :

I move to amend House Bill No. 239 by striking out the following words in line 5, section 3, "immediately preceding the passage of this act."

PHARES.

Which amendment was lost.

And the bill was passed to third reading.

Senator Ellison called up House Bill No. 97.

The bill was read a second time by title and passed to third reading.

Senator Goar called up House Bill No. 44. The bill was read a second time by title.

Senator Shiveley offered the following Amendment No. 1 :

MR. PRESIDENT :

I move to amend House Bill No. 44, as amended by the report of the Committee on Judiciary, by inserting the following words after the word "interrogatories" in the last line of the report of said committee but one, to wit: "and the general verdict."

SHIVELEY.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 96 and 97, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Shea moved that House Bill No. 44 be made a special order for 10 o'clock A. M. to morrow.

The motion prevailed.

Senator Hawkins moved that when the Senate adjourns this afternoon, it be to meet at 7:30 P. M. this evening.

Which motion prevailed.



Senator Gilbert made the following motion :

MR. PRESIDENT :

I move you that the Senate concur in the House Amendment to Senate Bill No. 96.

GILBERT.

Which motion prevailed.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 469, introduced by Mr. Gilbert, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

On motion of Senator Early, the Senate adjourned.

## FRIDAY EVENING.

FEBRUARY 26, 1897.

The Senate reconvened at 7:30 p. m., with Lieutenant-Governor Haggard in the chair.

Senator Johnson introduced Senate Bill No. 470, entitled :

A bill for an act to amend section 10 of an act entitled " An act to establish a Superior Court in the county of Madison, defining its authority and jurisdiction, providing for the appointment, election and compensation of the Judge thereof, and providing for a vacancy in the office of Judge of said Court," approved February 27, 1895, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

The roll was called for bills on second reading.

Senator Ball called up Senate bill No. 431.

The bill was read a second time by title and ordered engrossed.

Senator Bobilya called up Senate Bill No. 449.

Which was read a second time by title and ordered engrossed.

Senator Collett called up Senate Bill No. 225.

Which was read a second time and ordered engrossed.

Senator Early called up Senate Bill No. 418.

Which was read a second time by title.

Senator Early moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Collett, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Horner, Houghton, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Sweeney, White, Woods. Total, 34.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Sweeney, White, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gilbert called up Senate Bill No. 354.

The bill was read a second time by title.

Senator Horner offered Amendment No. 1:

MR. PRESIDENT:

I move to amend section 32 of Senate Bill No. 354 as follows: In line 2 strike out the word "three" and insert the word "eight." Also, in line 6, strike out the word "fourteen" and insert the word "eighteen."

HORNER.

Which amendment was adopted.

Senator Horner offered Amendment No. 2:

MR. PRESIDENT:

I move to amend Senate Bill No. 354, section 35, as follows: In line 1 strike out the word "biennially" and insert instead thereof the words "every four years." Also, to strike out the word "general" wherever it occurs in said section and insert instead thereof the word "presidential."

HORNER.

Which amendment was adopted.

Senator Self moved that Senate Bill No. 354 be made a special order for 2 o'clock next Monday.

Which motion prevailed.

Senator Gill called up Senate Bill No. 452, which was read a second time by title and ordered engrossed.

Senator Gochenour called up Senate Bill No. 486, which was read a second time by title and ordered engrossed.

Senator Gostlin called up Senate Bill No. 482, which was read a second time by title.

Senator Gostlin moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Shiveley, Sweeney, White, Wood. Total, 38.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnson of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, White, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Alexander called up Senate Bill No. 428.

The bill was read a second time by title and ordered engrossed.

Senator Goar called up Senate Bill No. 283.

The bill was read a second time by title and ordered engrossed.

Senator Hawkins called up Senate Bill No. 75.

Which was read a second time by title.

Senator Hawkins offered the following amendment, No. 1:

MR. PRESIDENT:

I move to amend Senate Bill No. 75 by inserting after second proviso in bill, the following:

*And provided further,* That if there are any dissenting stockholders of the company whose road is proposed to be leased or sold, such lease or sale shall not become valid or effective until such dissenting stockholders shall be paid for their stock at its current market value, which value, if not agreed upon between the parties, may be determined by an amicable suit in any court of competent jurisdiction.

HAWKINS.

Senator O'Brien moved that Senate Bill No. 75 and the amendment of Senator Hawkins be made a special order for Monday at 3 o'clock.

The motion prevailed.

Senator Holler called up Senate Bill No. 348.

The bill was read a second time by title and ordered engrossed.

Senator Horner called up Senate Bill No. 203, which was read a second time by title and ordered engrossed.

Senator Humphreys called up Senate Bill No. 49, which was read a second time by title and ordered engrossed.

Senator Houghton called up Senate Bill No. 456, which was read a second time by title and ordered engrossed.

Senator Johnson of Madison called up Senate Bill No. 470, which was read a second time by title.

Senator Johnson moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White. Total, 39.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hugg,

Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White.  
Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Johnston of Dearborn called up Senate Bill No. 57.

Which was read a second time by title and ordered engrossed.

Senator Kerns called up Senate Bill No. 186.

Which was read a second time by title and ordered engrossed.

Senator LaFollette called up Senate Bill No. 391.

Which was read a second time by title and ordered engrossed.

Senator Leich called up Senate Bill No. 445.

Which was read a second time by title and ordered engrossed.

Senator McCord called up Senate Bill No. 357.

Which was read a second time by title and ordered engrossed.

Senator Mull called up Senate Bill No. 448.

Which was read a second time by title and ordered engrossed.

Senator New called up Senate Bill No. 113.

Which was read a second time by title.

Senator New offered the following amendment to Senate Bill No. 113 :

MR. PRESIDENT :

I move to amend Senate Bill No. 113 by striking out everything in the bill after the word "Sunday," in line seven (7), of section one (1), and substituting therefor the following: "Unless a license therefor shall have been first obtained in the manner provided for in this act."

SEC. 2. Any person or persons so desiring to play base ball on Sunday shall for himself and associates first file with the Mayor, if in a city, and with the Board of Trustees, if in a town, and with the Township Trustee, if in a township outside of a city or town, a petition signed by at least twenty-five (25) legal voters, resident in such city, town or township, respectively, asking that a license be granted to a certain base ball club, or clubs, to be named in such petition, the right to play base ball with any other club or clubs within the limits of such city, town or township, respectively, on the first day of the week, commonly called Sunday. Such license, if granted, shall permit such licensee to so play base ball with any other club non-resident of the county of such petitioner club without further license to such visiting club.

SEC. 3. Upon such petition being filed at least twenty (20) days before the next succeeding city, town or township election, respectively, as the case may be, such Mayor, Board of Trustees or Township Trustee, respectively, shall immediately certify such petition to the proper Board of Election Commissioners having charge of the printing and distribution of ballots of such city, town or township, respectively, as the case may be, and such Board of Election Commissioners shall cause to be printed on such city, town or township ballot, respectively, as the case may be, the words "For base ball license—'Yes,' 'No.'" Those voters favoring the granting of such license shall mark the word "Yes" and those opposing will mark the word "No."

The vote on such questions shall be certified by the proper election officers of such election, to the Mayor, the Board of Trustees or the Township Trustees, respectively, as the case may be; and if at any such election a majority of those voting



on said question are in favor thereof, such Mayor, Board of Trustees or Township Trustees, respectively, as the case may be, shall immediately issue to such club a license for one year from date thereof, to so play base ball within such city, town or township, respectively, upon the payment of the following fee therefor: If within a city, \$150; if within a town \$50; if within a township outside of such city or town, \$50. Thereafter annual licenses may be granted to such club or clubs upon payment of the fees above stipulated.

SEC. 4. If at least twenty (20) days before any city, town or township election, there shall be filed with the Mayor of a city, the Board of Trustees of a town, or the Township Trustee of any township in this State, respectively, a petition signed by at least twenty-five (25) legal voters, residents of such city, town or township, respectively, asking that no license to play base ball on Sunday within such city, town or township, respectively, such Mayor, Board of Trustees or Township Trustees, as the case may be, shall certify such petition to the proper Board of Election Commissioners, who shall cause to be printed upon each city, town or township ballot, as the case may be, the words base ball license "Yes" and "No" with instructions that those voters desiring the issuance of such license shall mark the word "Yes" and those opposing the granting of such license shall mark the word "No."

The votes so cast shall be certified by the proper election officers, as above provided, and if a majority of those voting on the question shall vote "No," then no license shall be granted to play base ball on Sunday, as aforesaid, within such city, town or township, respectively, unless at some succeeding election the same shall be petitioned for and voted for as hereinabove provided. Any person or persons playing a game of base ball on the first day of the week, commonly called Sunday, in violation of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars (\$100.00).

Senator Shiveley was called to the chair to preside at 8:30.

Senator Bobilya moved that the amendment of Senator New to Senate Bill No. 113 be laid upon the table.

The question being on the motion of Senator Bobilya.

The ayes and noes were demanded by Senators Bobilya and Gill.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bobilya, Gilbert, Gill, Goar, Gochenour, Goodwine, Holler, Horner, Humphreys, Johnston of Dearborn, Kerns, Mull, O'Brien, O'Connor, Phares, Schneck, Self, Shiveley, Shoup, White. Total, 21.

Those voting in the negative were :

Senators Alexander, Bethell, Bozeman, Collett, Drummond, Early, Gostlin, Hawkins, Hugg, Johnson of Madison, LaFollette, Leich, New, Patten, Rinear, Shea, Sweeney. Total, 17.

So the motion of Senator Bobilya prevailed.

Senator O'Connor called up Senate Bill No. 405, which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Early, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Early requested that leave of absence be granted Senator Wood.

Which request was granted.

Senator Collett called up Senate Bill No. 446.

The bill was read a second time by title and ordered engrossed.

Senator Patten called up Senate Bill No. 457, which was read a second time by title.

Senator Shea moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White. Total, 37.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Humphreys, Johnson of Dearborn, Kerns, LaFollette, Leich, Mull, New, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White. Total, 35.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Phares called up Senate Bill No. 409, which was read a second time by title, and Senator Hawkins moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, O'Connor, O'Brien, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White. Total, 34.

None voting in the negative.

So the constitutional rule was suspended.

The bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Boseman, Collett, Drummond, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, White. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Rinear called up Senate Bill No. 403.

The bill was read a second time by title and ordered engrossed.

Senator Schneck called up Senate Bill No. 396.

The bill was read a second time by title and ordered engrossed.

Senator Self called up Senate Bill No. 388.

The bill was read a second time by title and ordered engrossed.

Senator White called up Senate Bill No. 270.

Which was read a second time by title and ordered engrossed.

Senator Goodwine called up Senate Bill No. 399.

Which was read a second time by title and ordered engrossed.

On request of Senator Holler, Senator Schneck was excused until next Monday.

On motion of Senator Gilbert, the senate adjourned.

W. S. HAGGARD,  
President of the Senate.

J. W. EGNEW,  
Assistant Secretary of the Senate.

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## SATURDAY MORNING.

FEBRUARY 27, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by the Rev. Dr. Graham, of Indianapolis.

The Journal of the preceding day was ordered read.

After a portion of the same had been read the further reading of the same was dispensed with on motion of Senator Johnson of Madison.

Senator Hubbell introduced Senate Bill No. 471, entitled :

A bill for an act to amend section one (1) of an act entitled an act providing for the appointment of probate commissioners by judges of the Circuit Courts in all counties of the State containing a voting population of over 30,000 as shown by the vote for Secretary of State at the last preceding election, defining the duties of such commissioners and their terms of office; providing for their removal and in what manner their salaries shall be fixed and paid, and how and when their services may be dispensed with; empowering the judges of said courts to make and enforce certain rules in relation to probate business, and invest such commissioners with certain powers, and declaring an emergency. (Approved March 7, 1891.)

Senator Hubbell moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Duncan, Early, Ellison, Gilbert, Gear, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Newby, Nusbaum, O'Brien, Phares, Rinear, Self, Shea, Shiveley, White. Total, 33.

None voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, White. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gilbert called up House Bill No. 236 for second reading.

Which was read a second time by title and passed to third reading.

Senator Gilbert introduced Senate Bill No. 472, entitled a bill for an act to amend section 8 of the act establishing a State Board of Health, passed February 12, 1891.

Read the first time and referred to the Committee on Public Health.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 186, introduced by Mr. Linck, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 257, introduced by Senator Early, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 511, introduced by Mr. Hart of Huntington, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill be printed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 581, introduced by Mr. Rifenburg, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 428, introduced by Senator Hawkins, has had the



same under consideration and begs leave to report the same back to the Senate, with the recommendation that said bill do pass

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 468, introduced by Senator Goodwine has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands, to which was referred House Bill No. 484, introduced by Mr. Barlow, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 248, introduced by Senator Bobilya, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 597, introduced by Mr. Barlow, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No 156, introduced by Senator LaFollette, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions has the honor to report that on January 22 it visited the Northern Indiana Hospital for Insane, near Logansport, and during the afternoon inspected all its various departments, including the wards. The evening was spent in an observation of several hundred inmates while engaged in their weekly dances in the assembly hall. As far as could be determined within the time allotted for the visit, the general condition of the hospital is satisfactory. The patients appear to be cared for according to their just needs and possibilities, physical, mental and moral; they are abundantly fed, comfortably and as neatly as possible clothed, live in cheerful, pleasant rooms, well warmed in winter, and

sleep on most excellent beds. Occupation and amusement appear to be abundantly furnished to all who can appreciate and be benefited thereby. Books and newspapers are available to all, and plenty of sunlight and fresh air and exercise daily for all who can walk out at all when the weather is pleasant in winter and summer, otherwise indoors. According to the records, the occupation of patients usefully, and at the same time agreeably, is fostered to a large extent but not against the will of the patient.

These, that is occupation and amusement, are deemed to be important elements in treatment.

The grounds about the hospital have the appearance of being well cared for, and the propagation and green houses are used to afford an ample supply of flowers and plants for the decoration of the grounds in summer and of the wards in winter time.

The percentage of recoveries is said to be satisfactory, and the mortality rate is below the average of institutions of this class.

The medical staff consists of the Superintendent and two assistant physicians, all of whom have been in the hospital for a long time, and who are men of mature years and experience. The institution is provided with a modest equipment of pathological apparatus, sufficient, it is said, for present needs.

The capacity of the hospital has grown in eight years from 342 to 610 beds. With the appropriation of \$20,000, made by the last General Assembly, the authorities of the hospital have provided two annexes to the terminal buildings, containing 84 rooms, with necessary halls, stair-ways, etc, very plainly but substantially constructed, comfortably heated, lighted and furnished, which were placed in use within the first year after the appropriation was made. There were enrolled on the day of the committee's visit 641 patients; 58 of these, however, were home on furlough. Within the last year all applications for admission properly and legally made have been accepted, and your committee is informed that at this time there are but few insane persons in poor houses and jails in the northern district for insane.

For this reason, at the present time, the authorities of the hospital do not deem it necessary to increase its capacity, but urge that this will be eventually necessary, and will continue to be until the number of beds in the institution is in the ratio of insane to sane in the northern district—that is to say, 1 to 600; or, estimating the population of the district to be half a million or more, 880 beds. For the present, however, it is thought no steps need be taken in this direction.

The water supply of the hospital is reported to have been always more or less inadequate, but within the last two years several wells have been added to the combined source of water supply, and enough has been secured, it is hoped, for present demand.

The buildings appear to have been kept in good general repair and numerous minor betterments have been made from time to time, adding much to their convenience, comfort and usefulness.

The farm and garden appear to have been satisfactorily managed. A herd of graded Holstein Fresian cattle, which is being gradually increased, provided a liberal supply of milk, and the subsistence supplies in general have been largely produced by the employes and patients on the place. The sewage is bestowed on the land, as a rule, by a relatively inexpensive system of intermittent filtration; but the system of sewers is so arranged that it can be turned into the river when desirable. It is said to furnish for irrigation purposes, when necessary, about 60,000 gallons in a perfectly liquid form per diem.

The value of farm and garden products for the year 1895–96, at a wholesale valuation, amounted in gross to \$13,251.24. The books of the Hospital are simple in their nature, but are so designed that all transactions are fully and properly recorded, with ample checks upon all institution functionaries as well as contractors.

Continuous inventories are kept of all movable property, and every effort appears to be made to reduce waste to a minimum.

The policy of competitive purchase of all the supplies of every sort established for the additional hospitals for the insane by the act of 1889, appears to be rigorously applied, and a rea-

sonable economy is apparent in all disbursements as far as your committee has been able to inform itself from the books of the Hospital, from the character of its general equipment and from the comparative statements of the Board of State Charities, in which are set forth by classes the expenditures of all the institutions of the State.

The walks necessarily used by more than fifty per cent. of the inmates of the Hospital in going to the central dining hall to the assembly hall, and elsewhere, several times daily throughout the year, winter and summer, are during the winter season frequently in bad condition, being composed simply of gravel. Your committee indorse the recommendation of the Board that provision be made to improve these walks by facing them with a vitrified pavement.

Additional cold storage for milk, butter, eggs, etc., is also required, and provisions should be further made to improve certain details in the system for heating and ventilation.

The prospective cost of these needed improvements appears by careful estimate, which your committee has technically investigated, to be \$7,000, and an appropriation for this amount is recommended.

Respectfully submitted,

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 580, introduced by Mr. Barlow, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

House Bill No. 44 was taken up as a special order of the hour.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 79, 256 and 381, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 206 and 438, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 342, 152, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 342, entitled :

A bill for an act to amend section one (1) of an act approved April 10, 1885, entitled "An act to amend section one (1) of an act entitled an act to amend the first section of an act entitled an act to amend the twenty second section of an act entitled an act for the incorporations of towns, defining their powers, providing for the election of the officers thereof and declaring their duties, approved June 11, 1852, approved March 2, 1855, approved March 1, 1877, being section 3333 of the Revised Statutes of 1881, and declaring an emergency," and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 152:

A bill for an act to amend sections one (1) and two (2) of an act to amend an act entitled an act making it unlawful to give, barter or sell tobacco to certain children, or to others for their use, or to induce said children to use the same, and providing penalties for violations thereof, approved March 9, 1889, approved February 9, 1893.

Read first time and referred to the Committee on Judiciary.

On motion of Senator Shiveley the Senate adjourned.

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## SATURDAY AFTERNOON.

FEBRUARY 27, 1897.

The Senate convened at 2 o'clock p. m. with Lieutenant-Governor Haggard in the chair.

Senator Gilbert called up Senate Bill No. 469.

Which was read a second time by title and ordered engrossed.

Senator Mull called up Senate Bill No. 295.

Which was read a second time by title and ordered engrossed.

Senator Duncan called up House Bill No. 114.

Which was read a second time by title and passed to third reading.

Senator Bobilya called up Senate Bill No. 248.

Which was read a second time by title and ordered engrossed.

Senator Bobilya called up House Bill No. 230.

Which was read a second time by title and passed to third reading.

The following message was received from the Governor:

INDIANAPOLIS, February 27, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 79, an act concerning the incorporation of stock insurance companies.

Also:

Senate Enrolled Act No. 256, an act to provide a statue of Oliver P. Morton for the National Statuary Hall in the Capitol at Washington, D. C., and appropriating money therefor.

Also:

Senate Enrolled Act No. 381, an act authorizing the Treasurer of Indiana University to dispose and have transfers of certain real estate, and to invest the proceeds thereof, repealing all laws in conflict therewith, etc.

All of which have been duly deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

Read in the Senate at 2:40 o'clock P. M. on Saturday, February 27, 1897.

Also:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has caused Senate Bill No. 359 (a bill for an act providing for a metropolitan police force in certain cities) to be deposited with the Secretary of State without his approval.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

Read in the Senate at 2:40 o'clock P. M. on Saturday, February 27, 1897.



The following communication was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 231, 450, 496, 182 and 103, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Senator O'Brien was called to the chair at 3:15 o'clock.

Lieutenant-Governor Haggard resumed the chair at 3:20 o'clock.

Senator Shea offered the following substitute for Senator Shiveley's amendment to House Bill No. 44 :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 44 by striking out of section one (1) all after the word "cause" in line seventeen (17) down to and including the word "accordingly" in line nineteen (19), and insert in lieu thereof the following :

When the answers to the interrogatories are inconsistent with the general verdict the former shall control the latter, and the court shall give judgment accordingly.

SHEA.

The ayes and noes being demanded.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Collett, Ellison, Gilbert, Gochenour, Hugg, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Self, Shea, Stroup, Duncan. Total, 14.

Those voting in the negative were :

Senators Bethell, Bobilya, Culbert, Drummond, Duncan, Hawkins, Holler, Horner, Houghton, Hubbell, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, Patten, Shiveley, White. Total, 20.

So the substitute was lost.

Senator Early paired with Senator Ball, Senator Goodwine with Senator Phares, and Senator Goar with Senator Gill on the above vote, and therefore did not vote.

Senator Newby made the following motion :

MR. PRESIDENT :

I move to amend the second clause of Senate Rule No. 64 so as to read as follows, to wit: "No member shall occupy more than five minutes in debate on any question in the Senate, except by the unanimous consent of the Senate."

NEWBY.

Which was read and referred to the Committee on Rules.

The question recurring upon the adoption of Senator Shiveley's amendment to House Bill No. 44.

The ayes and noes were demanded.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Collett, Gilbert, Gochenour, Horner, Hugg, Humphreys, Johnston of Dearborn, Mull, O'Brien, O'Connor, Patten, Self, Shea, Shiveley, Sweeney. Total, 16.

Those voting in the negative were :

Senators Bethell, Bobilya, Culbert, Drummond, Duncan, Ellison, Hawkins, Holler, Houghton, Hubbell, Kerns, LaFollette, Leich, New, Newby, Nusbaum, Stroup, White. Total, 18.

So the amendment was lost.

Senator O'Brien offered the following Amendment No. 2 to House Bill No. 44 :

MR. PRESIDENT :

I move to amend the amendment adopted by the Senate, in section 1, line —, by adding after the last amendment after the word "accordingly" the following: "*Provided*, That if there shall be no interrogatory addressed to a fact in issue between the parties and answered by the jury, such fact shall be regarded as covered by the general verdict."

O'BRIEN.

The amendment was lost.

Senator Phares offered the following Amendment No. 3 to Engrossed House Bill No. 44:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 44 by striking out all that part of the report of the committee beginning at and including the word "with," in line 4, to and including the word "accordingly" to last word in said report.

PHARES.

The yeas and nays being demanded by Senators Phares and Gilbert.

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bozeman, Collett, Gilbert, Gochenour, Horner, Hugg, Humphreys, Mull, O'Connor, Patten, Self, Shea, Stroup, Sweeney. Total, 15.

Those voting in the negative were:

Senators Bethell, Bobilya, Culbert, Drummond, Duncan, Early, Ellison, Hawkins, Holler, Houghton, Hubbell, Johnston of Dearborn, Kerns, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, White. Total, 20.

So the amendment was lost.

Senator Phares offered the following Amendment No. 4 to Engrossed House Bill No. 44:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 44 by striking out section 1, and also by striking out all that part of the report of the committee beginning at and including the word "with" in line 4 of said report to and including the word "accordingly," the last word in said report, and that said bill be renumbered.

PHARES.

The ayes and noes being demanded by Senators Hugg and Gilbert, the roll was called.

Those voting in the affirmative were:

Senators Alexander, Gilbert, Horner, Hugg, Humphreys, Johnston of Dearborn, Mull, O'Connor, Patten, Shea, Stroup, Sweeney. Total, 12.

Those voting in the negative were :

Senators Bethell, Bobilya, Bozeman, Culbert, Drummond, Duncan, Early, Ellison, Goar, Hawkins, Holler, Houghton, Hubbell, Kerns, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, Self, White. Total, 22.

So the amendment was lost.

Senator Hugg offered the following Amendment No. 5 to House Bill No. 44:

MR. PRESIDENT :

I move to amend House Bill No. 44 by striking out the following words in section 1: "Said interrogatories shall be prepared by counsel on either side of such cause, and submitted to the Court, and the Court shall, before argument commences, carefully inspect and revise the same by striking out "all unnecessary, ambiguous, redundant and immaterial interrogatories," and by adding "such interrogatories to those submitted as may by him be deemed necessary to cover all the issues in the case, and cause the same, as revised by the Court, to be rewritten and renumbered, and the jury in retiring shall take all said interrogatories, as revised and rewritten, and answer each of them and return them with the general verdict."

HUGG.

Which motion was lost.

Senator O'Brien requested that leave of absence be granted Senator Campbell.

Which request was granted.

Senator Bobilya offered the following amendment No. 6 to House Bill No. 44:

MR. PRESIDENT :

I move to strike out the enacting clause of Engrossed House Bill No. 44.

BOBILYA.

Which amendment was not adopted.

Senator Shea moved that the Senate do now adjourn.

Which motion did not prevail.

Engrossed House Bill No. 44 was ordered engrossed.

Senator New requested that leave of absence be granted Senator Rinear.

Which request was granted.

Senator LaFollette requested that Senator Gill be granted leave of absence.

Which request was granted.

Senator New introduced Senate Bill No. 473, entitled :

A bill for an act providing for the better protection of railway employes and others by filling the angles in frogs, guard rails, switches and crossings.

Read first time and referred to the Committee on Railroads.

Senator Newby requested that Senator Bethell be granted a leave of absence.

Which request was granted.

Senator Bobilya moved that the Senate do now adjourn.

Which motion did not prevail.

Senator Duncan moved to reconsider the vote by which sections two and three were stricken out of House Bill No. 480.

The President declared the motion out of order because Senator Duncan had not voted on the amendment either way.

Senator Early called up Senate Bill No. 257, which was read a second time by title and ordered engrossed.

On motion of Senator Hawkins the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

J. W. EGNEW,  
Assistant Secretary of the Senate.

## MONDAY MORNING.

MARCH 1, 1897.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Haggard in the chair.

The Journal of Saturday was ordered read.

After a portion of the same had been read, the further reading was dispensed with on motion of Senator Johnson of Madison.

Lieutenant-Governor Haggard, chairman ex-officio of the Committee on Rules, made the following report:

*To the Senate :*

Your Committee on Rules, to which was referred the amendment to the Rules of the Senate offered by Senator Newby, limiting the time of debate of members on any question to five (5) minutes, unless waived by the unanimous consent of the Senate, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said amendment be adopted.

W. S. HAGGARD,  
Ex-officio Chairman.

Which report was concurred in.

The roll was ordered called for reports of standing committees.

Senator Gilbert moved that the rules of the Senate be temporarily suspended and that Senate Bill No. 469 be put upon its passage.

Which motion prevailed.

Senator Self introduced Senate Bill No. 474, entitled :

A bill for an act to abolish the office of County Assessor and providing that certain duties now required by law to be performed by County Assessors, be performed by County Auditors, and providing that certain other duties now required by law to be performed by County Assessors be hereafter performed by County Recorders, and repealing all laws in conflict therewith.

Read first time and referred to the Committee on Judiciary.

Senator Wood introduced Senate Bill No. 475, entitled :

A bill for an act governing the construction of intercepting sewers in cities which had a population of less than thirty-five (35) thousand as shown by the last United States census; the taking of real estate for sewerage purposes and the manner of payment for the same, authorizing the levying of special taxes for such payments, and for the purpose of sewer construction and sewage disposal, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator LaFollette called up Senate Bill No. 284 for third reading.

Senator Shiveley made the following motion:

MR. PRESIDENT :

I move to recommit Substitute Senate Bill No. 284 to its author to amend by inserting the following words after the word and figure "section 5" in line one of said section, to wit: "on stock hereafter written."

SHIVELEY.

Which motion did not prevail.

Senator Gilbert made the following motion :

MR. PRESIDENT :

I move to refer Substitute Senate Bill No. 284 to a committee of one, Senator LaFollette, with instructions to amend by inserting in line ten, section five of the printed bill before the words "have been" the word "not."

GILBERT.

Which motion prevailed on a division vote of 24 in the affirmative to 14 in the negative.

Senator Johnson of Madison made the following motion :

MR. PRESIDENT :

I move that Substitute Senate Bill No. 284 be recommitted to its author with specific instructions to amend by inserting after line 4 in section two the following :

“ And any part of all moneys advanced by any stockholder to cover the expense of making a loan for which actual services has not been rendered shall be returned to said stockholder.”

JOHNSON.

Which motion did not prevail.

Senator Johnson of Madison made the following motion :

MR. PRESIDENT :

I move to recommit Substitute Senate Bill No. 284 to its author with specific instructions to amend the same by adding at the end of section three the following :

“ And each association shall annually cause to be credited on the pass book of each stockholder the amount of earnings due such stockholder, except associations doing business on the terminating or serial plan.

JOHNSON.

Which motion prevailed on a division vote of 22 in the affirmative to 20 in the negative.

Senator LaFollette, a committee of one, to which was referred Senate Bill No. 284, with instructions, made the following report :

MR. PRESIDENT :

Your Committee of one, to which was referred Senate Bill No. 284, with instructions to amend, begs leave to report the same back to the Senate, amended according to the instructions of the Senate.

LAFOLLETTE.

Which report was concurred in.

The question being on the passage of Substitute Senate Bill No. 284.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bobilya, Collett, Culbert, Duncan, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Connor, Patten, Phares, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 37.



Senator Johnston of Dearborn voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gilbert then called up Senate Bill No. 469.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Bozeman, Collett, Culbert, Duncan, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Hubbell, Hugg, Johnson of Madison, LaFollette, Leich, Mull, New, Newby, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 27.

Those voting in the negative were:

Senators Bobilya, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Patten, Shea, Stroup, Sweeney. Total, 12.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hawkins called up Senate Bill No. 232.

Senator Hawkins moved that the constitutional rule requiring that bills shall be read on three several days be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Bozeman, Gilbert, Goodwine, Gostlin, Hawkins, Hogate, Houghton, Hubbell, Hugg, LaFollette, Leich, New, Newby, Phares, Shea, Shiveley, Watson, Wood. Total, 18.

Those voting in the negative were :

Senators Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Gill, Gochenour, Holler, Horner, Humphreys, Johnson of Madison, Johnston of Dearborn, Mull, Nusbaum, O'Brien, O'Connor, Patten, Schneck, Self, Stroup, White. Total, 23.

So the constitutional rule was not suspended.

The bill was read a second time by title and ordered engrossed.

Senator Hogate called up Engrossed House Bill No. 580.

Which was read a second time by title and passed to third reading.

Senator Gochenour called up Engrossed House Bill No. 247.

Which was read a second time by title and passed to third reading.

Senator Holler called up Engrossed House Bill No. 484.

Which was read a second time by title and passed to third reading.

Senator Houghton called up Engrossed House Bill No. 195.

Which was read a second time by title and passed to third reading.

Senator Hugg called up Engrossed House Bill No. 110.

Which was read a second time by title and passed to third reading.

Senator Johnson of Madison called up Engrossed House Bill No. 199.

Which was read a second time by title and passed to third reading.

Senator Johnston of Dearborn called up Engrossed House Bill No. 181.

Which was read a second time by title and passed to third reading.

Senator Kerns called up Engrossed House Bill No. 76.

Which was read a second time by title and passed to third reading.

Senator LaFollette called up Engrossed House Bill No. 186.

Which was read a second time and passed to third reading.

Senator Newby called up Engrossed House Bill No. 511.

Senator Newby moved that Engrossed House Bill No. 511 be advanced to second reading.

Which motion prevailed.

Senator Shiveley moved that Engrossed House Bill No. 511 be made a special order for 2:30 o'clock Tuesday afternoon.

Which motion prevailed.

Senator Shiveley called up Engrossed House Bill No. 74.

Which was read a second time by title and passed to third reading.

Senator Stroup called up Engrossed House Bill No. 147.

Which was read a second time by title and passed to third reading.

Senator Watson called up Engrossed House Bill No. 584.

Which was read a second time by title and passed to third reading.

The roll was ordered called for House bills on third reading.

Senator Alexander called up Engrossed House Bill No. 87.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Ellison, Gill, Goodwine, Gostlin, Horner, Houghton, Humphreys, Johnson of Madison, Johnston of Dearborn,

Kerns, LaFollette, Newby, Nusbaum, O'Connor, Patten, Phares, Rinear, Schneck, Watson, Wood. Total, 28.

Those voting in the negative were :

Senators, Drummond, Early, Gilbert, Gochenour, Hawkins, Hogate, Holler, Hubbell, Hugg, Leich, New, O'Brien, Shea, Shiveley, Stroup, White. Total, 16.

And so the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Ball called up Engrossed House Bill No. 264.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 42.

Those voting in the negative were :

Senators Hubbell, Leich, Sweeney. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

INDIANAPOLIS, March 1, 1897.

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that they have examined Enrolled Senate Bills No. 96, introduced

by Senator Gilbert; No. 97, introduced by Senator Gilbert; No. 429, introduced by Senator Hogate, and has compared the same with the engrossed bills, and finds that said bills have been properly enrolled.

W. L. BALL,  
Chairman.

Which report was concurred in.

On motion of Senator Rinear the Senate adjourned.

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## MONDAY AFTERNOON.

MARCH 1, 1897.

The Senate reconvened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

Senator Hugg, by request, introduced Senate Bill No. 476, entitled:

A bill for an act to amend section one of an act entitled "An act concerning bank officers, brokers, etc., receiving deposits after insolvency, repealing all laws in conflict therewith," approved March 9, 1891, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Substitute Senate Bill No. 354 was taken up as a special order of the hour.

The bill was read a second time by title.

Senator Self offered the following Amendment No. 1 to Substitute Senate Bill No. 354:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 354 by adding the following additional section, viz.:

Section 45½. The compensation of County Superintendents shall be three dollars for each day actually and necessarily employed: *Provided*, For services in visiting schools, such County

Superintendents shall not, in any one year charge for such service for more days than one-fourth of the number of public schools in their respective counties exclusive of schools in cities and incorporated towns.

SELF.

Which amendment was adopted.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 637, and the same is herewith transmitted to the Senate for action.

B. H. PRATHER,  
Principal Clerk of the House.

Engrossed House Bill No. 637, entitled :

A bill for an act to require the Terre Haute & Indianapolis Railroad Company, its officers, agents and persons in possession thereof, to account to the Attorney General of the State for the amounts due and owing to the Treasurer of State for the use of common schools, by reason of the excess of its receipts over its expenditures under the provisions of its charter appropriating the same to the use of common schools, authorizing a demand for such accounting and suits to enforce the same, the appointment of additional counsel, and providing for the expense of such litigation and the compensation therefor, creating an auditing board and prescribing its powers, authorizing the Attorney General to bid upon any sale of said road and authorizing the payment of such bid, and providing for the operation of said road until the General Assembly shall determine in regard to the disposition thereof, and for other purposes, and declaring an emergency.

Read first time and referred to the Committee on Railroads.

Senator Collett made the following motion :

MR. PRESIDENT :

I move that the further consideration of Substitute Senate Bill No. 354 be indefinitely postponed.

The ayes and noes being demanded by Senators Collett and Ellison, the roll was called.

Those voting in the affirmative were :

Senators Ball, Bobilya, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gill, Goar, Gochenour, Hugg, Humphreys, Johnson of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shea, Shiveley, White. Total, 30.

Those voting in the negative were :

Senators Alexander, Bozeman, Culbert, Gilbert, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Johnson of Madison, Phares, Stroup, Watson, Wood. Total, 16.

So the motion prevailed and Substitute Senate Bill No. 354 was postponed indefinitely.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 176 and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 176, entitled :

A bill for an act concerning the organization of railroad corporations and regulating the manner of connecting with other lines, the receiving of freight from connecting lines and repealing all laws in conflict with this act.

Read first time and referred to the Committee on Railroads.

Senator LaFollette moved that the regular order of business be temporarily dispensed with and that Engrossed House Bill No. 637 be taken up.

Which motion prevailed.

Senator LaFollette moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title and passed to third reading, be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson, White, Wood. Total, 44.

So the constitutional rule was suspended.

The bill was read a second time by title.

Senator Early offered the following amendment to Engrossed House Bill No. 637 :

MR. PRESIDENT :

I move to recommit House Bill No. 637 to Senator LaFollette, as a committee of one, with specific instructions to insert the words "not exceeding ten thousand dollars" after the word "incurred," in line 9 of section 5 of said bill.

EARLY.

Which amendment was lost.

Senator Shiveley was called to the chair at 3:15 o'clock.

Lieutenant-Governor Haggard returned to the chair at 3:30 o'clock.

House Bill No. 637 was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson. Total, 41.



Those voting in the negative were :

Senators Culbert, Early, Hogate, Johnston of Dearborn, O'Brien, White, Wood. Total, 7.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gilbert offered the following Senate Resolution No. 47 :

MR PRESIDENT :

I offer the following resolution :

WHEREAS, A resolution has heretofore passed this General Assembly authorizing and directing the Attorney-General, William A. Ketcham, to make a demand upon certain corporations and persons for the making and furnishing of certain statements as to the amount of receipts and expenditures of the Terre Haute & Indianapolis Railroad Company; and

WHEREAS, In conformance with said resolution the said Attorney-General has made said demand and furnished a report of the same to the General Assembly, which report shows the items of expense incurred by him, amounting to fifty-three dollars and sixty-two cents (\$53.62); therefore, be it

*Resolved*, That the President of the Senate and the Assistant Secretary of the Senate are hereby directed to draw a warrant in favor of William A. Ketcham for \$53.62 to reimburse him for said money so paid out.

GILBERT.

Which resolution was adopted.

Senator Gochenour moved that Senate Bill No. 75 be made a special order for 2 o'clock Wednesday afternoon.

Which motion did not prevail.

Senate Bill No. 75 was taken up as a special order for the hour.

Senator Houghton offered the following amendment, No. 2, to Senate Bill No. 75:

MR. PRESIDENT:

I move to amend Senate Bill No. 75 by striking out the phrase "or any part or portion thereof" whenever it appears in section one (1) of the bill, and by striking out the phrase "or part thereof" whenever it appears in sections 2 and 3 of the bill.

HUGHTON.

Which amendment was adopted.

Senator Hawkins' amendment, No. 1, to Senate Bill No. 75, that was pending, was taken up and adopted.

Senator Ellison offered the following amendment, No. 3, to Senate Bill No. 75:

MR. PRESIDENT:

I move to amend Senate Bill No. 75 by adding thereto at the end of section 3 these words: "*Provided, however, That nothing herein shall be deemed to affect or validate any leases heretofore attempted to be made,*" nor shall it affect any litigation now pending.

ELLISON.

Which amendment was adopted.

Senator Hawkins moved that Senate Bill No. 75 be made a special order for Tuesday at 10:30 o'clock A. M.

Which motion prevailed.

Senator Bobilya called up Engrossed House Bill No. 77.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns,

LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson, White, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Self called up Engrossed House Bill No. 97.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shiveley, Sweeney, White. Total, 36.

Those voting in the negative were :

Senators Houghton, Shea, Watson, Wood. Total, 4.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Campbell called up Engrossed House Bill No. 144.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gill, Goar, Gochenour, Goodwine,

Gostlin, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, Newby, Nusbaum, O'Brien, Patton, Schneck, Shea, Shiveley, Sweeney. Total, 33.

Senators Houghton and Rinear voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Collett called up Engrossed House Bill No. 249.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, Newby, O'Brien, O'Connor, Patten, Phares, Shea, Shiveley, Sweeney, White. Total, 35.

Those voting in the negative were:

Senators Johnston of Dearborn, Rinear, Schneck, Self, Watson. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Culbert called up Engrossed House Bill No. 480.

Which was read a third time by sections.

Senator Hogate made the following motion :

MR. PRESIDENT :

I move to refer to a committee of one, Engrossed House Bill No. 480 to amend as follows: Strike out all of section four and renumber the sections.

HOGATE.

Which motion was lost on a division vote of 17 in the affirmative and 21 in the negative.

Senator Duncan made the following motion :

MR. PRESIDENT :

I move to recommit House Bill No. 480 to Senator Gilbert, with instructions to make the following amendments, to wit: By inserting sections 2 and 3 as follows :

SEC. 2. The trustee of any township is hereby prohibited from binding his township by contract or obligation, written or verbal, for any supplies of whatsoever kind, in an amount exceeding \$300, but he shall have the power to contract for any kind of necessary supplies, the purchase price of which does not in the aggregate exceed \$300. Whenever it shall become necessary to purchase supplies or bind the township, by contract or otherwise, for supplies in an amount exceeding \$300, he shall first obtain the approval of the County Commissioners, at any of their regular or called meetings, to make such purchase and bind said township for said supplies; and the Board of County Commissioners may be called in special session for the purpose of considering the necessity of purchasing any such supplies, and they shall have the right before granting their approval to the purchasing of such supplies to first call any person or persons who can give information as to the necessity of having such supplies, and if, after being fully informed upon said point, they deem such supplies necessary, they shall grant their approval to the purchasing of the same: *Provided*, This section and this act shall not apply to the employment of teachers in the public schools and the purchasing of fuel.

SEC. 3. It shall be unlawful for any Township Trustee, in making any purchase of any kind of necessary supplies for his township, school or civil, to separate and divide up any purchases he may make of any articles or property by purchasing

a part of such articles or supplies on different days or at different times so as to defeat and evade the object, purpose and provisions of section 2 of this act: *And provided*, That continuous running or separate purchase of articles or property or property within the limit of \$300, as provided in this act, but such purchases amounting in the aggregate exceeding \$300 shall be *prima facie* evidence of the violation of the object, purpose and provisions of section 2 of this act.

DUNCAN.

Which motion prevailed on a division vote of 21 in the affirmative to 16 in the negative.

Senator Newby made the following motion :

MR. PRESIDENT :

I move to refer Engrossed House Bill No. 480 to Senator Gilbert, with instructions to amend by inserting after the words "on hand," in line 9 of the engrossed bill, the words "in process of collection."

NEWBY.

Which amendment was adopted.

Senator Watson made the following motion :

MR. PRESIDENT :

I move you to recommit Engrossed House Bill No. 480 to a committee of one and amend as follows: By adding section 7, which shall read as follows :

"That the trustees shall file with the commissioners of the county an itemized statement of every day engaged, giving date and how so engaged by them in performing their duties as such trustees, and section 7 be numbered and be section 8."

WATSON.

Which amendment was adopted.

Senator Newby made the following motion :

MR. PRESIDENT :

I move that Engrossed House Bill No. 480 be recommitted to Senator Gilbert, with instructions to amend by striking out all of lines 7, 8, 9, 10, 11 and 12, commencing with the word "such," in line 7 and ending with the word "required," in line 12

NEWBY.

Which amendment was lost.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 277, 115, 120, 495 and 387, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Senator Gilbert, a committee of one, to which was referred Engrossed House Bill No. 480, with instructions, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Engrossed House Bill No. 480, with instructions to amend, reports the same back amended according to instructions as contained in motions of Senators Duncan, Watson and Newby.

GILBERT.

Which report was concurred in.

The question being on the passage of Engrossed House Bill No. 480.

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bozeman, Duncan, Ellison, Gilbert, Goodwine, Hawkins, LaFollette, New, Newby, O'Brien, Self, Shiveley, White. Total, 14.

Those voting in the negative were:

Senators Alexander, Bobilya, Campbell, Collett, Culbert, Drummond, Gill, Gochenour, Hogate, Holler, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, Leich, Nusbaum, O'Connor, Patten, Phares, Rinear, Schneck, Stroup, Sweeney, Watson. Total, 26.

So the bill failed to pass.

On motion of Senator Shiveley the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## TUESDAY MORNING.

MARCH 2, 1897.

The Senate convened at 10 o'clock with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by the Rev. Dr. Wilson of the Mayflower Congregational Church of Indianapolis.

The Journal of the preceding day was ordered read.

After a portion of the same had been read, the further reading was dispensed with on motion of Senator Self.

The roll was ordered called for the reports of standing committees.

Senator LaFollette, Chairman of the Committee on Building and Loan, made the following report:

MR. PRESIDENT:

Your Committee on Building and Loan, to which was referred House Engrossed Bill No. 542, begs leave to report that it has had the same under consideration and recommends that said bill be amended as follows, to wit:

In section 2, line 9, of the engrossed bill, immediately after the words "membership fees," insert the words "Loan Fees;" also strike out the word "and," line 10, and insert in line 11, immediately after the word "fines," the words "and forfeitures," in line 12; also strike out the words "twenty-five," in line 20, and insert the word "fifty;" also strike out the word "three," in line 29, and insert the word "five."

Also amend section 3 of said bill by inserting after the word "furnish," in line 3, the following words: "within thirty days after its annual statement to the Auditor of State." And strike out of said section lines 5 and 6 of said section of engrossed bill; also insert in line 14, of said section 3, immediately after the words "membership fees," the words "loan fees."

Also in line 15 of said section, immediately following the word "fines," the words "and forfeitures." Also in line 28 insert immediately after the word "association" the words "dur-



ing the preceding year.” Also strike out of line 25 of said section the words “treasurer and president.”

Also amend said bill by striking out all of section 4, and insert in lieu thereof as section 4 the following :

“SEC. 4. For the purpose of this act paid up stock shall be such stock as the owner shall have paid the full face value thereof at the time of the subscription therefor. Prepaid stock shall be stock upon which the owner shall have paid any specific sum in advance at the time of subscription, leaving the balance necessary to mature the same to be paid by the dividends to be declared thereon by the association, or stock on which more than six months’ dues have been paid in advance. All building and loan associations, as such, shall be exempt from taxation. Shares of stock on which loans have not been made or advanced by the association, which stock is paid-up or prepaid, shall be considered and held as credits of the members individually, and listed by them and assessed against them for taxation as other property.”

Also by striking out section 5 of said bill and inserting in lieu thereof the following :

Section 5. Any stockholder whose stock is unpledged for a loan, wishing to withdraw from such association within one year from the time of issuing his stock, may do so upon three months’ notice, in writing, given to the Board of Directors, when such withdrawing stockholder shall be entitled to receive the full amount of dues paid in upon the stock to be withdrawn, less all fines and pro rata shares of losses sustained during such stockholder’s term of payment prior to the time of notice of withdrawal. If such withdrawing stockholder shall be entitled to the amount paid in on dues and all declared dividends thereon, and such part of the profits as shall not have been carried to the reserve or contingent fund, less all fines and forfeiture: *Provided*, That not more than one-half of the funds in the treasury shall be applied to the demand of withdrawing stockholders unless otherwise ordered by the Board of Directors. Such association shall have the power to provide for the assessment of fines for non-payment of dues, premium or interest; but such fines shall not exceed twenty per centum of the amount of the delinquent installment of dues, and shall be charged only once on such installment. Such association shall

have the power to provide for the forfeiture of stock for the non-payment of dues, premium or interest for three months. After the payment of all fines and other amounts due the association, the remainder, if any, shall be credited to such stockholder, and he shall be notified of the amount due him, or, in case he is a borrower, such remainder shall be credited on his loan and the balance of said loan shall be due and payable and may be collected at once on foreclosure. The bonds, notes or mortgages belonging to any association shall not be negotiable except upon an order of the Circuit Court or the Judge thereof in vacation, of the county in which the principal office of said association is situated.

Also amend said bill by striking out section 6 and substitute therefor the following :

Section 6. The capital stock of any association may be fixed originally in any sum, or upon the order of the Board of Directors thereof be increased to any amount the Directors shall deem advisable. No Director shall become a surety on the bond of any Secretary or Treasurer or any officer of such association.

Also, renumber section 8 of said bill as section 7.

Also, insert in said bill as an amendment thereto, and renumber the same as section 8 the following :

Section 8. Any building and loan association organized under the laws of this State and doing business within the State may, within one year after the passage of this act, if its Board of Directors deem it advisable to go into liquidation, and for the purpose of so doing, may at any regular or called meeting of its Board of Directors adopt a resolution declaring that said association intends to go into liquidation and discontinue business as a building and loan association, a copy of such resolution, duly certified to by the President and Secretary of such association, under the seal thereof, shall be transmitted to the Auditor of State within ten days after the passage thereof, together with a fee of one dollar for the filing of the same in his office, and thereupon the Auditor of State shall issue his certificate, reciting that such resolution has been filed in his office, and that such association is in liquidation. After the filing of such notice it shall not be lawful for such association to issue

stock or to loan or advance its moneys to its members, or any other persons, but all of its income and receipts of said association in excess of the actual expense of managing the same, shall be applied to pay off the stock in said association upon which no loans have been made. The Board of Directors of such association in liquidation may adopt such rules and make such orders as shall be just and equitable for the sale and disposition of all property held by such association, the assessment of losses, and for the division of the profits of such association. Any such association which may go into liquidation under the provisions of this section shall not be subject to any of the foregoing sections of this act, but its affairs shall be controlled and regulated by the laws in force before the passage of this act until its affairs are wound up.

Also, amend said House Engrossed Bill by striking out section 9 thereof:

Section 9. It shall be competent and lawful for the borrower from such association to agree, in writing, upon a given rate of premium in addition to the interest to be paid upon each loan without bidding. All contracts heretofore made between any borrower and any such association for the payment of any premiums, with or without any bidding, are hereby legalized. No premium heretofore contracted for without bidding or to be contracted for under this section shall be deemed usurious.

Also, by inserting in said engrossed bill the following, and numbering the same as section 10, as follows:

Sec. 10. That where a foreign building and loan association doing business within this State has become insolvent and its affairs are being wound up by a receiver, the failure of such association to have complied with the laws of the State representing its admission to do business therein, shall not affect the right of such receiver to bring any suit necessary to wind up the affairs of such association.

Also:

By adding as section 12 to said engrossed House bill the following:

SEC. 12. This act shall be in force from and after July 1, 1897, and, when so amended, that the bill do pass.

LA FOLLETTE,  
Chairman.

Which report was concurred in.

Senator LaFollette called up Engrossed House Bill No. 542.

He then moved that the constitutional rule requiring that bills shall be read on three several days be suspended, that the bill be read a second time by title, passed to third reading, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called:

Those voting in the affirmative were:

Senators Campbell, Collett, Culbert, Early, Gill, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 35.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title.

Senator Johnson of Madison offered the following amendment to Engrossed House Bill No. 542:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 542 by inserting at the end of section 3 the following: "And each association shall annually cause to be credited on the pass-book of each stockholder the amount of earnings due such stockholder, except associations doing business on the 'terminating' or 'serial' plan."

JOHNSON.

Which amendment was adopted.

Engrossed House Bill No. 542.

Was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator LaFollette offered the following amendment to the title of Engrossed House Bill No. 542:

MR. PRESIDENT:

I offer the following amendment to the title of Engrossed House Bill No. 542: Add thereto the following: "Fixing the time for the taking effect thereof."

LAFOLLETTE.

Which amendment was adopted and the title ordered amended accordingly.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 96, 97 and 429, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also:

I am directed by the House to inform the Senate that the House has passed Enrolled Senate Act No. 16 notwithstanding the objections of the Governor thereto, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 92, 101 and 808, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 429, 502 and 294, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Engrossed House Bill No. 429, entitled :

A bill for an act in relation to savings banks, providing for the issuing of stock, the payment thereof and the liability of such stockholders, and for a compensation of the trustees, officers and agents of such banks, and declaring an emergency.

Read first time and referred to the Committee on Banks.

Engrossed House Bill No. 502, entitled :

A bill for an act providing for monthly sessions of the Board of County Commissioners in counties having a population of more than 55,000 and less than 100,000 according to the census of 1890, and providing and regulating the number of days such Board shall sit, and fixing a salary for the Commissioners in such counties, and providing additional compensation when they shall act as directors of turnpike companies in such counties, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 294, entitled :

A bill for an act to authorize companies, corporations and voluntary associations, organized for the purpose of laying on, over or underneath the ground, iron pipes or tubes, to erect pumps and pump stations and tanks for storing oil, to appropriate and condemn real estate, and declaring an emergency.

Read first time and referred to the Committee on Natural Gas.

Senator Drummond called up Engrossed House Bill No. 189.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators, Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 45.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Duncan called up Engrossed House Bill No. 142.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnson of Madison, Kerns, Leich, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Sweeney, Watson, White, Wood. Total, 38.

Senators Houghton and Johnston of Dearborn voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senate Bill No. 75 was taken up as a special order for 10:30 A. M.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Culbert, Duncan, Early, Gilbert, Goodwine, Gostlin, Hawkins, Horner, Houghton, Hugg, Johnson of Madison, LaFollette, New, Newby, Phares, Self, Shea, Shiveley, Watson, White, Wood. Total, 26.

Those voting in the negative were:

Senators Ball, Collett, Drummond, Ellison, Gill, Goar, Goche-nour, Hogate, Holler, Humphreys, Johnston of Dearborn, Kerns, Leich, Mull, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Sweeney. Total, 21.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 543, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.



Engrossed House Bill No. 543, entitled:

A bill for an act fixing the time that the terms of County Treasurer shall begin in each county in the State of Indiana, repealing all laws and parts of laws in conflict herewith and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred House Bill No. 549, introduced by Mr. Monahan, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that all of said bill after the enacting clause be struck out and the following be inserted in lieu thereof, and as so amended the bill do pass.

SHIVELEY,  
Chairman.

SECTION 1. That on and after the last Monday of August, 1897, the terms of court in the 42d Judicial Circuit shall be held as follows, to wit: In the County of Jackson, on the last Monday of August and continue until the last Monday of September. In the county of Washington, on the last Monday of September and continue until the last Monday of October. In the county of Orange, on the last Monday of October and continue until the third Monday of November. In the county of Jackson, on the third Monday of November and continue until the third Monday of December. In the county of Washington, on the third Monday of December and continue until the third Monday of January. In the county of Orange, on the third Monday of January and continue until the second Monday of February. In the county of Jackson, on the second Monday of February and continue until the second Monday of March. In the county of Washington, on the second Monday of March and continue until the second Monday of April. In the county of Orange, on the second Monday of April and continue until the first Monday of May. In the

county of Jackson, on the first Monday of May and continue until the first Monday of June. In the county of Washington, on the first Monday of June and continue until the first Monday of July. In the county of Orange, on the first Monday of July and continue until the fourth Monday of July.

SEC. 2. The terms of court in said circuit, prior to the last Monday of August, 1897, shall be held in accordance with the law now in force. The first term of court to be held under this act shall be the one beginning in the county of Jackson on the last Monday of August, 1897.

SEC. 3. All writs, summons, subpoenas, recognizances, bonds, continuances, rules of court, orders, publications, notices of process of any kind already issued, or pending, or to be issued, executed or made or served in any of the said counties and made returnable or operative to the circuit court in any of said counties; to any other dates therein fixed shall be deemed and held returnable and valid to the first or other day of any term of said courts as fixed by this act, and any cases held under advisement by the judge of said circuit court may be decided or determined by him at any term of court to be held under this act.

SEC. 4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 5. This act shall be in force on and after the first Monday of August, 1897, and not before.

Which report was concurred in.

The following communication was received from the House:  
MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 553 and 122, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 37, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 553, entitled :

A bill for an act for the better government of the State Prison and State Reformatory of the State of Indiana, by requiring a system of gradation, and for the publishing and posting of prison rules.

Read first time and referred to Committee on Prisons.

Engrossed House Bill No. 122, entitled :

A bill for an act to amend sections 1, 5 and 7 of an act entitled an act to regulate and license the sale of spirituous, vinous and malt and other intoxicating liquors; to limit the license fee to be charged by cities and towns; prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors; to repeal all former laws regulating the sale of intoxicating liquors, and all laws and parts of laws coming in contact with the provisions of this act, prescribing penalties for the violation thereof, and declaring an emergency; the same being sections 5317, 5316, 5318 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to the Committee on Temperance.

Senator Early called up Engrossed House Bill No. 230, which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Johnston of Dearborn, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shea, Shiveley, Wood. Total, 40.

Senator Sweeney voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ellison called up Engrossed House Bill No. 300, which was read a third time by sections and put upon its passage

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Hogate, Holler, Horner, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, Newby, Nusbaum, O'Brien, Patten, Rinear, Shea, Shiveley, Sweeney, Watson, White and Wood. Total, 33.

Those voting in the negative were:

Senators Gill, Hawkins, Houghton, Hubbell, Johnston of Dearborn and O'Connor. Total, 6.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hogate moved to make Engrossed House Bill No. 44 a special order for 3 o'clock this afternoon.

Which motion prevailed.

Senator Gilbert called up Engrossed House Bill No. 237, which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphrey, Johnson, Johnston, Kerns, LaFollette, Leich, Mull,

New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shea, Sweeney, Watson, White, Wood. Total, 41.

Senator Gill voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Bozeman moved that the Senate concur in House Amendment to Senate Bill No. 37.

Which motion prevailed.

Senator Gill called up Engrossed House Bill No. 167.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Campbell, Culbert, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Sweeney, Watson, White, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Gilbert offered the following amendment to the title of Engrossed House Bill No. 167:

MR. PRESIDENT:

I move to amend the title of Engrossed House Bill No. 167 by striking out all of said title and by inserting in lieu thereof the following:

A bill for an act making it unlawful to sell, barter or give away to minors certain articles, providing penalties therefor, repealing certain laws and declaring an emergency.

GILBERT.

Which amendment was adopted and the title amended accordingly.

Senator Hawkins, Chairman of the Committee on Legislative Apportionment, made the following report :

MR. PRESIDENT :

Your Committee on Legislative Apportionment, to which was referred House Bill No. 544, introduced by Mr. Littleton, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HAWKINS,  
Chairman.

Which report was concurred in.

Senator Hawkins moved that Engrossed. House Bill No. 544 be made a special order for 2:15 o'clock this afternoon.

Which motion prevailed.

Senator Goar called up Engrossed House Bill No. 111.

Which was read a third time by sections and put upon its passage.

On motion of Senator Watson the Senate adjourned.

## TUESDAY AFTERNOON.

MARCH 2, 1897.

The Senate reconvened at 2 o'clock P. M. with Lieutenant-Governor Haggard in the chair.

Senator Shiveley moved that when the Senate adjourn that it adjourn to meet at 7:30 o'clock to-night.

Senator Early moved to amend Senator Shiveley's motion by making the time at eight o'clock instead of 7:30.

Which motion prevailed.

The question then recurring upon Senator Shiveley's motion as amended, the motion prevailed.

The question being upon the passage of Engrossed House Bill No. 111.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Holler, Horner, Hubbell, Hugg, Humphrey, Johnson of Madison, Kerns, LaFollette, Leich, Mull, Newby, O'Brien, O'Conner, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Watson, White, Wood. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senate Bill No. 316 was taken up as a special order for the hour.

Senator Newby moved that Senate Bill No. 316 be made a special order for to-morrow at 3 o'clock P. M.

Senator Hubbell made the following motion as a substitute for Senator Newby's motion :

MR. PRESIDENT :

I move that the further consideration of Senate Bill No. 316, be indefinitely postponed.

HUBBELL.

The Chair being in doubt, a division was called for by which the motion prevailed by a vote of eighteen in the affirmative to seventeen in the negative.

Engrossed House Bill No. 544 was taken up as a special order for the hour.

The bill was read a second time by title and passed to third reading.

Senator Hawkins moved that Engrossed House Bill No. 544 be made a special order for 10:15 o'clock to morrow morning.

The Chair being in doubt, a division was called for by which the motion prevailed by a vote of twenty-seven in the affirmative to eleven in the negative.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 138 and 603, and adopted House Concurrent Resolution No. 19, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 138, entitled :

A bill for an act to amend section three (3) of an act entitled an act to provide for the public printing, binding and stationery, and repealing all laws in conflict therewith, and declaring an emergency, approved April 13, 1885, and declaring an emergency.

Read first time and referred to the Committee on Fees and Salaries.



Engrossed House Bill No. 603, entitled :

A bill for an act making appropriations and fixing salaries and office hours for the State government and its institutions, making certain specific appropriations, directing the application of such appropriations, requiring accounts to be kept by the fiscal year of the State, repealing inconsistent laws and declaring an emergency.

Read first time and ordered printed.

House Concurrent Resolution No. 19 :

WHEREAS, A certain book, entitled the "Story of Liberty," by Charles Carleton Coffin, is circulated, recommended and sold to children attending the public schools of this State; and

WHEREAS, Said book is of a religious controversial character, and was written for the purpose of holding up to public contempt and ridiculing the doctrines and practices of the religion of 300,000 citizens of this State; and

WHEREAS, Said book is calculated to poison the minds of such children against said religion, to influence their passions and prejudices, to cause them to look with contempt upon such of their fellow students who have been brought up in that form of religious belief, and to thus promote bad feeling, discord and wrangling to the prejudice of good order and discipline; and

WHEREAS, Under the Constitution of this State "all men shall be secured in their natural right to worship Almighty God according to the dictates of their own consciences; that no law shall in any case whatever control the free exercise and enjoyment of religious opinions or interfere with the rights of conscience that in the letter and spirit of our school laws, the common schools of this State must be, and of right ought to be strictly non-sectarian;" be it, therefore,

*Resolved*, That it is the sense of the House of Representatives, the Senate concurring, that the non-sectarian character of our common schools must be strictly maintained; that no book of religious controversy ought to be used in said schools; that said schools must not be made the means of promoting one form of religion to the detriment of another; that the most strict impartiality must be maintained; that no book offensive

to the religious feeling of any one ought to be tolerated ; and be it further

*Resolved*, That under our school laws and the liberal spirit of our political institutions, it is the official duty of the Superintendents, School Boards, Township Trustees and teachers to exclude all books of a sectarian nature; and that the so called "Story of Liberty," and books of a similar character be not found on the shelves of school libraries.

Read first time and referred to Committee on Education.

Senator Mull moved that Engrossed House Bill No. 608 be printed.

Which motion prevailed.

Senator Gochenour called up Engrossed House Bill No. 245, which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Collett, Culbert, Early, Gilbert, Gill, Gechenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, Leich, New, Newby, O'Brien, Patten, Phares, Rinear, Schneck, Self, Watson, Wood. Total, 31.

Those voting in the negative were :

Senators Bobilya, Campbell, Drummond, Duncan, Ellison, Holler, Johnston of Dearborn, LaFollette, Mull, O'Connor, Shea, Shiveley, Stroup, Sweeney, White. Total, 15.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Goodwine called up Engrossed House Bill No. 290, which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Culbert, Early, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Hugg, Kerns, LaFollette, New, Newby, Nusbaum, Patten, Phares, White. Total, 19.

Those voting in the negative were:

Senators Ball, Bobilya, Campbell, Collett, Duncan, Ellison, Houghton, Humphreys, Johnston of Dearborn, Leich, Mull, O'Brien, O'Connor, Rinear, Schneck, Self, Shiveley, Stroup, Sweeney, Watson, Wood. Total, 21.

So the bill failed to pass.

Senator Wood moved that the vote by which Engrossed House Bill No. 290 failed to pass be reconsidered.

Senator Bobilya moved that Senator Wood's motion be laid on the table.

The yeas and nays being demanded by Senators Wood and Bobilya.

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bobilya, Campbell, Collett, Drummond, Duncan, Ellison, Gill, Horner, Houghton, Johnston of Dearborn, Kerns, LaFollette, Mull, Newby, Nusbaum, O'Brien, Patten, Phares, Schneck, Self, Shiveley, Stroup, Sweeney, Watson. Total, 25.

Those voting in the negative were:

Senators Bethell, Bozeman, Culbert, Early, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Hubbell, Hugg, Humphreys, Johnson of Madison, Leich, New, O'Connor, Rinear, Shea, White, Wood. Total, 20.

So the motion prevailed.

Senator Gostlin called up Engrossed House Bill No. 581, which was read a second time by title and passed to third reading.

Engrossed House Bill No. 511 was taken up as a special order for this hour.

The bill was read a third time by sections.

Senator Shiveley moved that the further consideration of Engrossed House Bill No. 511 be indefinitely postponed.

Which motion prevailed.

Senator Hawkins called up Engrossed House Bill No. 239, which was read a third time by sections and put upon its passage.

Senator Hogate made the following motion :

MR. PRESIDENT :

I move that House Bill No. 239 be recommitted to Senator Hawkins to amend as follows :

Strike out all that part of said bill beginning with the word "provided," in line 6 of section 3, and ending with the figures "1897," in line 2 of section 3, and insert in lieu thereof the following: "But if a person who has served not less than one year as proprietor or clerk in a store or pharmacy where physicians' prescriptions are compounded, shall have temporarily retired as such proprietor or clerk, but shall again wish to engage in the business of keeping a store or pharmacy where physicians' prescriptions are compounded, either as proprietor or clerk, he shall be entitled to a license as a registered pharmacist for two years, upon a satisfactory showing that he was before engaged as such as provided in this section.

"*Provided*, All such persons above named in this section shall make application for license before January 1, 1898."

HOGATE.

Which motion did not prevail.

Senator Shea made the following motion :

MR. PRESIDENT :

I move that House Bill No. 239 be recommitted to Senator Hawkins, its author, as a committee of one with instructions to amend as follows: By adding at the end of section three (3) the following: "*Provided*, That any person who upon the passage of this bill is engaged in the drug business as proprietor

or manager may pass the examination required by this act and if deemed qualified may be licensed by said board as a pharmacist.

SHEA.

The Chair being in doubt a division was demanded, on which division the motion was lost by a vote of fifteen in the affirmative and nineteen in the negative.

The question being upon the passage of Engrossed House Bill No. 239.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Campbell, Culbert, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Johnson of Madison, LaFollette, Leich, Mull, New, Nusbaum, Phares, Rinear, Shiveley, Stroup, Watson, White, Wood. Total, 29.

Those voting in the negative were :

Senators Bethell, Bobilya, Houghton, Humphreys, Kerns, Newby, O'Brien, O'Connor, Patten, Schneck, Self, Shea. Total, 12.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Engrossed House Bill No. 44 was taken up as a special order for the hour.

The bill was read a third time by sections and put upon its passage.

Senator Hugg made the following motion :

MR. PRESIDENT :

I move that Engrossed House Bill No. 44 be recommitted to a committee of one, with instructions to strike out all Senate amendments.

HUGG.

The ayes and noes being demanded by Senators Ball and Newby.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bozeman, Gilbert, Gill, Gochenour, Hogate, Horner, Hugg, Humphreys, Johnson of Madison, Kerns, Leich, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson. Total, 25.

Those voting in the negative were:

Senators Bethell, Bobilya, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Goodwine, Gostlin, Hawkins, Holler, Houghton, Hubbell, LaFollette, New, Newby, Nusbaum, Schneck, White, Wood. Total, 20.

So the motion prevailed.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 568, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 226 and 380, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 568, entitled :

A bill for an act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair, and otherwise improve and construct harbors, canals, water-ways or water-courses, and for that purpose to condemn the lands of persons through or adjoining which such harbors, canals, water-ways, or water-courses may run, and to assess the damages and benefits against said city, against any highway or railroad affected thereby, and benefits and damages for or against the owners of

lands affected thereby, and providing for the regulation and control of any such harbors, canals, water-ways or water-courses by said city, and providing for the jurisdiction of said city beyond its limits in matters connected with such harbors, canals, water-ways or water-courses, and providing penalties for the violation of certain sections thereof, and declaring an emergency.

Read first time and referred to Committee on Federal Relations.

Engrossed House Bill No. 226, entitled:

A bill for an act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of license to practice, providing for the appointment of a State Board of Medical Registration and Examination, and defining their duties, defining certain misdemeanors, and providing penalties, and repealing all laws in conflict therewith and certain acts therein specified.

Read first time and referred to the Committee on Public Health.

Engrossed House Bill No. 380, entitled:

A bill for an act making it a misdemeanor for any person to represent or advertise himself as the agent of an unauthorized or fictitious insurance company within this State, and declaring an emergency.

Read the first time and referred to Committee on Federal Relations.

Senator Sweeney was called to the chair at 3:30.

Lieutenant-Governor Haggard resumed the chair at 3:35 o'clock.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 61, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Hugg, a committee of one, to whom was referred Engrossed House Bill No. 44, with instructions, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Engrossed House Bill No. 44, with instructions to amend the same, begs leave to report that it has complied with instructions of Senator Hugg's motion, and hereby returns said bill for further consideration of the Senate.

HUGG.

Which report was concurred in.

The question recurring upon the passage of Engrossed House Bill No. 44.

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bozeman, Campbell, Collett, Gilbert, Gill, Goar, Gochenour, Goodwine, Hogate, Horner, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, Wood. Total, 30.

Those voting in the negative were:

Senators Bethell, Bobilya, Culbert, Drummond, Duncan, Early, Ellison, Gostlin, Hawkins, Holler, Houghton, Hubbell, Leich, New, Newby, Nusbaum, Schneck, White. Total, 18.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gilbert moved that the vote by which Engrossed House Bill No. 44 was passed be reconsidered.

Senator Humphreys moved that Senator Gilbert's motion be laid on the table.

Which motion prevailed.

Senator Hogate called up Engrossed House Bill No. 580.

Which was read a third time by sections and put upon its passage.



The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Kerns, LaFollette, Leich, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, White. Total, 30.

Those voting in the negative were :

Senators Gill, Horner, Houghton, Newby, Stroup. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ellison was called to the chair at 4:20 P. M.

Senator Holler called up Engrossed House Bill No. 484.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Campbell, Collett, Drummond, Early, Gill, Goar, Goodwine, Gostlin, Hogate, Holler, Horner, Hugg, Johnston of Dearborn, Kerns, Leich, Mull, New, O'Brien, Patten, Phares, Rinear, Schneck, Self, Watson, White, Wood. Total, 26.

Those voting in the negative were :

Senators Ball, Bobilya, Culbert, Ellison, Gilbert, Gochenour, Houghton, Humphreys, Shea. Total, 9.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Lieutenant-Governor Haggard resumed the chair at 4:30.

Senator Horner called up Engrossed House Bill No. 105.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Campbell, Culbert, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hogate, Horner, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Wood. Total, 30.

Those voting in the negative were:

Senators Houghton, Johnson of Madison, Mull, Watson, White. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Houghton moved that Engrossed House Bill No. 597 be advanced to third reading.

Which motion prevailed.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 543, introduced by Mr. Downey, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred House Bill No 226, introduced by Mr. Shideler, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GOAR,  
Chairman.

Which report was concurred in.

Senator Hawkins moved that Engrossed House Bill No. 226 be made a special order for 11 o'clock to-morrow morning.

Which motion prevailed.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 127, introduced by Senator Hogate, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 126, introduced by Mr. Archibald, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 68, introduced by Mr. Canada, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 489, introduced by Mr. Shideler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Hawkins moved that Engrossed House Bill No. 186 be advanced to third reading and be made a special order for 10:30 o'clock to morrow morning.

The chair being in doubt, a division was called for, on which division the motion prevailed by a vote of twenty-seven in the affirmative to eleven in the negative.

Senator Watson moved that Engrossed House Bill No. 114 be made a special order for 11:30 o'clock to morrow morning.

The Chair being in doubt, a division was called for, on which division the motion was lost by a vote of eight in the affirmative to twenty-six in the negative.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 457, introduced by Mr. Early, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

On motion of Senator Johnson, of Madison, the Senate adjourned.

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## TUESDAY EVENING.

MARCH 2, 1897.

The Senate reconvened at 8 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

Senator Houghton called up House Bill No. 584, which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bozeman, Campbell, Collett, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson, White. Total, 36.

Senator Humphreys voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hubbell called up Engrossed House Bill No. 275.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bobilya, Bozeman, Campbell, Collett, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, O'Conner, Patten, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson, White. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hugg called up Engrossed House Bill No. 110.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, O'Conner, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Early made the following motion :

MR. PRESIDENT :

I move that the House be requested to return Engrossed House Bill No. 167 for correction in the title.

EARLY.

Which motion prevailed.

Senator Johnson of Madison called up Engrossed House Bill No. 76.

Which was read a third time by sections and put upon its passage.

Senator Gochenour made the following motion :

MR. PRESIDENT :

I move that Engrossed House Bill No. 76 be referred to Senator Johnson with instructions that wherever the words "cattle, horses, swine or live stock or fowls" appear in this act that the same be stricken out.

GOCHENOUR.

Which motion did not prevail.

The question being on the passage of Engrossed House Bill No. 76.

The roll was called.

Those voting in the affirmative were :

Senators Bobilya, Campbell, Drummond, Duncan, Ellison, Gill, Hawkins, Hogate, Holler, Horner, Hubbell, Hngg, Johnson of Madison, Kerns, LaFollette, Mull, Nusbaum, O'Brien, O'Conner, Patten, Schneck, Shea, Shiveley, White. Total, 24.

Those voting in the negative were :

Senators Ball, Bethell, Bozeman, Collett, Early, Gilbert, Gochenour, Goodwine, Gostlin, Houghton, Humphreys, Johnston of Dearborn, Leich, Phares, Rinear, Sweeney, Watson. Total, 17.

So the bill failed to pass for want of a constitutional majority.

Senator Johnston of Dearborn called up Engrossed House Bill No. 224.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Campbell, Drummond, Duncan, Ellison, Johnston of Dearborn, LaFollette, Mull, New, Nusbaum, O'Brien, O'Connor, Schneck, Shea. Total, 16.

Those voting in the negative were:

Senators Ball, Bozeman, Collett, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Leich, Patten, Phares, Rinear, Self, Shiveley, Sweeney, Watson, White. Total, 25.

So the bill failed to pass for the want of a constitutional majority.

Senator Kerns called up Engrossed House Bill No. 236.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Duncan, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Horner, Houghton, Hubbell, Humphreys, Leich, Mull, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Sweeney, Watson, White. Total, 31.

Those voting in the negative were:

Senators Drummond, Early, Holler, Johnston of Dearborn, LaFollette, Shiveley. Total, 6.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.



Senator Nusbaum called up Engrossed House Bill No. 153, which was read a third time by sections and put upon its passage.

Senator Shiveley moved that the further consideration of Engrossed House Bill No. 153 be indefinitely postponed.

The Chair being in doubt, a division was called for, on which division the motion prevailed by a vote of 27 in the affirmative to 9 in the negative.

Senator Hubbell moved that the vote by which Engrossed House Bill No. 236 was passed be reconsidered.

Which motion prevailed.

Senator Watson made the following motion :

MR. PRESIDENT :

I move to recommit Engrossed House Bill No. 236 to Senator Gilbert, to strike out of the printed bill, in line 6, section 1, the words "purchaser, lessee or mortgagee for any purchase," and insert in lieu thereof the word "conveyance," and insert in line 7, after "faith," the words "without notice."

WATSON.

Senator Early offered the following motion as a substitute for Senator Watson's motion :

MR. PRESIDENT :

I move to recommit Engrossed House Bill No. 236 to Senator Gilbert with instructions to strike out all between the words "mortgage," in line 6 of section 1, and the word "in" in line 7.

EARLY.

Which motion prevailed.

Senator Watson made the following motion :

MR. PRESIDENT :

I move to recommit Engrossed House Bill No. 236 to a committee of one, and that it be amended as follows: By inserting the words "without notice" after the word "faith," in line 6, section 1.

WATSON.

Which motion did not prevail.

Senator Gilbert, a committee of one, to whom was referred Engrossed House Bill No. 236 with instructions, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Engrossed House Bill No. 236 with instructions to amend, has complied with the instructions of the Senate, and herewith returns the bill for the further action of the Senate.

GILBERT.

Which report was concurred in.

The question being on the passage of Engrossed House Bill No. 236.

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Humphreys, Johnson, Johnston, Kerns, LaFollette, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Shiveley, Sweeney, Watson, White. Total, 37.

Senators Bobilya and Drummond voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Watson, Chairman of the Committee on Railroads, made the following report:

MR. PRESIDENT:

Your Committee on Railroads, to which was referred House Bill No. 157, a bill for an act to amend section 1 of an act to require railroad corporations to give notice, etc., introduced by Mr. Sutton, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senator Early offered Senate Resolution No. 48, as follows :

*Resolved*, That the Secretary of the Senate be directed to cause to be printed a corrected Calendar at the close of the session and mail a copy of the same to each member of the Senate, and also deposit 150 copies of the same with the State Librarian for the use of the next Senate; and be it further

*Resolved*, That the Secretary of the Senate be directed to secure and employ the necessary clerical help for such purpose, the expense not to exceed twenty five dollars, and that the necessary warrant be directed and is hereby authorized to be drawn for the pay of said assistants.

EARLY.

Which resolution was adopted.

On motion of Senator Hubbell the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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### WEDNESDAY MORNING.

MARCH 3, 1897.

The Senate convened at 10 o'clock with Lieutenant-Governor Haggard in the Chair.

The Journal of the preceding day was ordered read.

After a portion of the same had been read, the further reading was dispensed with on motion of Senator Bobilya.

Senator White moved that Engrossed House Bill No. 385 be made a special order for 2:30 this afternoon.

Which motion prevailed.

Senator Mull moved that Engrossed House Bill No. 608 be made a special order for 10 o'clock to-morrow morning.

Which motion prevailed.

Senator Johnson of Madison moved that Engrossed Senate Bill No. 403 be made a special order for 8 o'clock P. M. to-day.

Which motion prevailed.

Senator O'Brien, Chairman of the Committee on Federal Relations and Rights and Privileges, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations and Rights and Privileges, to which was referred House Bill No. 568, introduced by Mr. Rifenburg, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Federal Relations, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations, Rights and Privileges, to which was referred House Bill No. 880, introduced by Mr. Herod, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien called up Engrossed House Bill No. 181.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Campbell, Drummond, Duncan, Johnston of Dearborn, O'Brien, Patten, Schneck, Self. Total, 8.

Those voting in the negative were:

Senators Collett, Early, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hub-

bell, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, O'Connor, Phares, Rinear, Shiveley, Sweeney, Watson, White, Wood. Total, 29.

So the bill failed to pass.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 510, introduced by Mr. Harris, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the words "the Attorney-General and" in line one (1) of section one (1) be stricken out, and that when said bill is so amended that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 430, introduced by Senator Ball, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 502, introduced by Mr. Peckinpaugh has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 152, introduced by Mr. Canada, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended by striking out the word "eighteen" in line 9 of section 1, and inserting in lieu thereof the word "fourteen," and when said bill is so amended the same pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 474, introduced by Senator Self, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be amended by adding the following words at the end of section two (2), to wit:

*Provided*, The provisions of this act shall not apply to the present incumbents.

And, when the bill is so amended, that the same pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred House Bill No. 342, introduced by Mr. Thomas, has had the same under consideration, and begs leave to report the

same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

WATSON,  
ELLISON,  
HOUGHTON,  
WOOD,  
HUBBELL,  
DRUMMOND,  
EARLY.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred House Bill No. 342, introduced by Mr. Thomas, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill pass.

J. J. M. LAFOLLETTE,  
JOS. H. SHEA.

The question being, Shall the minority report be substituted for the majority report?

The minority report was not substituted for the majority report.

The majority report was concurred in.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 440, introduced by Senator Hubbell, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

WATSON,  
HOUGHTON,  
LAFOLLETTE,  
SHIVELEY,  
WOOD,  
SHEA,  
DRUMMOND.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No 440, introduced by Senator Hubbell, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill pass.

ELLISON,  
HUBBELL,  
EARLY.

The question being, Shall the minority report be substituted for the majority report?

The minority report was not substituted for the majority report.

The majority report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 125, introduced by Mr. Archibald, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House herewith returns Engrossed House Bill No. 167 to the Senate by request of the Senate.

B. H. PRATHER,  
Clerk.

Also:

I am directed by the House to inform the Senate that the House has passed Senate Engrossed Bills Nos. 195, 24, 462, 162, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Clerk.



Also :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 564, 476, 344, 324, 389, 46 and 451, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 264 and 87, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk of the House.

Engrossed House Bill No. 564, entitled :

A bill for an act to provide for the greater purity of elections, for the casting and registering of votes by means of voting machines, and supplementary to and in aid of an act entitled an act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith, approved March 6, 1889, and all laws supplementary thereto and amendatory thereof, and declaring an emergency.

Read first time and substituted for Senate Bill No. 406, and passed to third reading.

Engrossed House Bill No. 476, entitled :

A bill for an act authorizing the administrator of the estate of Robert M. Walker, deceased, to erect a monument at the grave of said decedent.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 344, entitled :

A bill for an act concerning the expense of County Commissioners in counties having not less than sixty-five thousand (65,000) inhabitants and not less than twenty (20) civil townships, while such Commissioners are engaged in providing for and in building court houses for such counties, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Engrossed House Bill No. 324, entitled :

A bill for an act to legalize the record and action of the Board of Trustees of the town of Waynetown, Montgomery County, Indiana, in relation to the boundary lines and tax levies, ordinances and electric light contracts and the payment thereof and declaring an emergency.

Read first time and referred to the Committee on Federal Relations.

Engrossed House Bill No. 389, entitled :

A bill for an act amending section two hundred and fifty-five (255) of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 46, entitled :

A bill for an act to amend section three of an act entitled "An act to amend section three of an act entitled an act to render taxation for common school purposes uniform and to provide for the education of the colored children of the State," approved May 13, 1867, approved March 5, 1877, the same being section 4496 of the Revised Statutes of 1881, and providing penalties for the violation of the same.

Read first time and referred to the Committee on Education.

Engrossed House Bill No. 451, entitled :

A bill for an act to amend section three of an act entitled "An act levying an annual State tax for the purpose of raising revenue for the General Fund, Benevolent and Reformatory Institution Fund, the school revenue for Tuition Fund, and State Debt Sinking Fund of the State Treasury; providing for the application of unappropriated balance in the General Fund to the payment of the principal of the public debt and for transferring from the Benevolent Institution Fund to the General Fund under conditions named, repealing all conflicting laws and declaring an emergency. Approved March 11, 1895.

Read first time and referred to the Committee on Education.

Engrossed House Bill No. 544 was taken up as a special order for 10:30 o'clock.

The bill was read a third time by sections and put upon its passage.

Senator Wood was called to the chair at 10:40.

President Haggard resumed the chair at 11 o'clock.

The question being, Shall the bill pass?

The roll was called:

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, Phares, Schueck, Self, Shiveley, Watson, White, Wood. Total, 33.

Those voting in the negative were:

Senators Alexander, Campbell, Ellison, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, Patten, Rinear, Stroup. Total, 11.

Senators Drummond and Shea in their seats, but did not vote.

Senators O'Connor and Sweeney refused to vote.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ellison made the point of order that the President could not demand the roll-call until all Senators who desired had spoken on the question.

The point of order was held out of order by the President.

Engrossed House Bill No 186 was taken up as a special order for the hour.

The bill was read a third time by sections and put upon its passage.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move to recommit House Bill No. 186 to Senator Newby, with instructions to strike out the words " who control the output of said articles of merchandise," in section 1, line 4, of the printed bill.

ELLISON.

Which motion did not prevail.

Senator Shiveley was called to the chair at 11:25.

Senator Watson made the following motion :

MR. PRESIDENT :

I move to refer House Bill No. 186 to a committee of one, and be amended as follows: By striking out the words " or domestic raw material," in line 7, section 1.

WATSON.

Which motion prevailed on a division, wherein 18 voted in the affirmative and 17 in the negative.

Senator Self made the following motion :

MR. PRESIDENT :

I move that House Bill No. 186 be recommitted to Senator Newby, with instructions to amend the enacting clause by inserting after the words " Assembly of " the words " the State of."

SELF.

Which motion prevailed.

Senator Watson offered the following motion :

MR. PRESIDENT :

I move to refer House Bill No. 186 to a committee of one, and amend as follows: By striking out the words " or manufacture or sale of articles of domestic growth," in line 6, section 1.

WATSON.

Which motion prevailed.

Senator Newby, a committee of one, to which was referred House Bill No. 186, with instructions, made the following report:

MR. PRESIDENT:

I beg leave to report that I have amended House Bill No. 186 by adding the words "the State of" after the word "Assembly," in line 1 of section 1, and by striking out the words "or manufacture or sale of articles of domestic growth;" also, by striking out "or by domestic raw material."

Respectfully submitted,

L. P. NEWBY.

Which report was concurred in.

The question being on the passage of Engrossed House Bill No. 186.

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Kerns, LaFollette, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 41.

Those voting in the negative were:

Senators Drummond, Ellison, Johnston of Dearborn, Leich. Total, 4.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

On motion of Senator Hawkins the Senate adjourned.

## WEDNESDAY AFTERNOON.

MARCH 3, 1897.

The Senate reconvened at 2 o'clock p. m., with Lieutenant Governor Haggard in the chair.

Senator Shea introduced Senate Bill No. 477, entitled :

A bill for an act in relation to the clerks and sheriffs of courts and counties.

The bill was read first time by title.

Senator Shea moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Campbell, Drummond, Duncan, Early, Gilbert, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Haughton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Sweeney, Watson, White, Wood. Total, 35.

Those voting in the negative were :

Senators Self, Shiveley. Total, 2.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Gilbert, Goar, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg,

Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Shea, Wood. Total, 32.

Those voting in the negative were:

Senators Ball, Ellison, Gill, Holler, Humphreys, Johnston of Dearborn, Newby, Patten, Schneck, Self, Shiveley, Sweeney. Total, 12.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Bozeman, Chairman of the Committee on Banks, made the following report:

MR. PRESIDENT:

Your Committee on Banks, to which was referred Engrossed House Bill No. 429, the same being a bill for an act in relation to savings banks, introduced by Mr. Elliott, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

V. P. BOZEMAN,  
Chairman.

Which report was concurred in.

Senator Hogate moved that the text of House Bill No. 429 be substituted for the text of Senate Bill No. 262.

Which motion prevailed.

Engrossed House Bill No. 226 was taken up as a special order for the hour.

The bill was read a second time by title.

Senator Hubbell offered the following Amendment No. 1 to Engrossed House Bill No. 226:

MR. PRESIDENT:

I move to amend House Bill No. 226 by inserting after the word "administration" in section seven the words "or sale of."

HUBBELL.

Which amendment was not adopted.

Senator Watson offered the following amendment to Engrossed House Bill No. 226:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 226 by adding to section 2 of said bill the following: "And such physician so licensed shall make a record of the diagnosis of each case examined and of the medicine or medicines prescribed, which record shall be open to the inspection of the person treated and to whom the record applies, and in case of his or her death the record shall be open to his or her legal representatives, and in case of insanity or infancy to his or her parents or guardian; and all prescriptions shall hereafter be written in English or German.

WATSON.

Senator Wood offered the following as a substitute for Senator Watson's amendment to Engrossed House Bill No. 226:

MR. PRESIDENT:

I move as a substitute for the amendment offered by the Senator from Clark that all prescriptions shall be type-written both in English and German.

WOOD.

Senator Nusbaum moved that Senator Wood's substitute be rejected.

Which motion prevailed.

Senator Watson's amendment was not adopted.

The following message was received from the Governor:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed the following acts, viz.:

Senate Enrolled Act No. 429: An act to provide for the printing, indexing and binding of acts, joint resolutions, etc., of the Sixtieth General Assembly.

Senate Enrolled Act No. 97: An act authorizing the appointment of a Commissioner of Fisheries, prescribing his duties, etc.



Senate Enrolled Act No. 96: An act for the protection of fish in the waters of the State, and providing a penalty for the violation of its provisions.

All of which have been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

Read in the Senate at 2:25 o'clock P. M., on Wednesday, March 3, 1897.

Senator Drummond offered the following amendment to Engrossed House Bill No. 226:

MR. PRESIDENT:

I move to amend House Bill No. 226 by striking out the words and figures following "twenty-five dollars (\$25.00)," in line 37 of section 2, and by inserting in lieu thereof the words "ten dollars."

DRUMMOND.

Which amendment was not adopted.

Senator Duncan offered the following amendment, No. 4, to Engrossed House Bill No. 226:

MR. PRESIDENT:

I move to amend House Bill No. 226 by striking out section 8 of said bill.

DUNCAN.

Which amendment was not adopted.

Senator Hubbell offered the following amendment, No. 5, to Engrossed House Bill No. 226:

MR. PRESIDENT:

I move to amend House Bill No. 226 by inserting after the word "repute," in line 10, section 4, the following words, "or who have practiced medicine, surgery and obstetrics continuously in this State for fifteen years prior to the date of such appointment."

HUBBELL.

Which amendment was not adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 444, 421, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 77, 249, 97. And the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 613. And the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 613, entitled :

A bill for an act to amend sections five and seven of an act entitled an act to regulate the weighing and screening of coal mined in this State under contract, for payment by the ton or other quantities, the same to be weighed before being screened, in force June 3, 1891, and being section 5480F and section 5480H of Horner's Revised Statutes.

Read first time and referred to Committee on Mines, Mining and Manufacturing.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 513. And the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 513, entitled :

A bill for an act concerning elections and the taking of polls, and providing penalties for its violation.

Read first time and referred to Committee on Elections.

Senator Hubbell moved that the constitutional rule requiring that bills shall be read on three several days be suspended; that Engrossed House Bill No. 226 be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bozeman, Campbell, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Shiveley, Sweeney, Watson, White, Wood. Total, 34.

Those voting in the negative were :

Senators Ball, Bobilya, Collett, Drummond, Duncan, Goodwine, Johnston of Dearborn, Kerns, Self. Total, 9.

So the constitutional rule was suspended.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Collett, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson, Johnston, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 42.

Those voting in the negative were :

Senators Bobilya, Drummond, Humphreys, Kerns, Self.  
Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Shiveley was called to the chair at 8:07.

Senate Bill No. 385 was taken up as a special order for the hour.

The bill was read a third time by sections and put upon its passage.

Senator Shiveley made the following motion :

MR. PRESIDENT :

I move you that Senate Bill No. 385 be recommitted to a committee of one, its author, with instructions to amend by striking out the words "one thousand dollars" in lines 1 and 2 of section 2 of said bill and inserting in lieu thereof the words "twelve hundred dollars;" also by striking out section 3 and by renumbering section 4 section 3.

SHIVELEY.

Which motion prevailed.

Senator Gilbert, a committee of one, to which was referred Senate Bill No. 385, with instructions, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 385, with specific instructions to amend, herewith returns the same amended according to instructions.

GILBERT.

Which report was concurred in.

Engrossed House Bill No. 513, entitled :

A bill for an act concerning elections and the taking of polls, and providing penalties for its violation.

Read first time and referred to Committee on Elections.

Senator Hubbell moved that the constitutional rule requiring that bills shall be read on three several days be suspended; that Engrossed House Bill No. 226 be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bozeman, Campbell, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Shiveley, Sweeney, Watson, White, Wood. Total, 34.

Those voting in the negative were :

Senators Ball, Bobilya, Collett, Drummond, Duncan, Goodwine, Johnston of Dearborn, Kerns, Self. Total, 9.

So the constitutional rule was suspended.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Collett, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson, Johnston, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 42.

Those voting in the negative were:

Senators Bobilya, Drummond, Humphreys, Kerns, Self.  
Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Shiveley was called to the chair at 3:07.

Senate Bill No. 385 was taken up as a special order for the hour.

The bill was read a third time by sections and put upon its passage.

Senator Shiveley made the following motion:

MR. PRESIDENT:

I move you that Senate Bill No. 385 be recommitted to a committee of one, its author, with instructions to amend by striking out the words "one thousand dollars" in lines 1 and 2 of section 2 of said bill and inserting in lieu thereof the words "twelve hundred dollars;" also by striking out section 3 and by renumbering section 4 section 3.

SHIVELEY.

Which motion prevailed.

Senator Gilbert, a committee of one, to which was referred Senate Bill No. 385, with instructions, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Senate Bill No. 385, with specific instructions to amend, herewith returns the same amended according to instructions.

GILBERT.

Which report was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 342, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

The question being on the passage of Senate Bill No. 385.

The roll was called.

Those voting in the affirmative were : .

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, New, O'Brien, Phares, Schneck, Shiveley, Watson, White, Wood. Total, 30.

Those voting in the negative were :

Snnators Alexander, Campbell, Drummond, Gill, Horner, Humphreys, Johnston of Dearborn, Nusbaum, O'Connor, Pat-ten, Rinear, Shea, Stroup, Sweeney. Total, 14.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Gilbert offered the following amendment to the title of Engrossed Senate Bill No. 385 :

MR. PRESIDENT :

I move to amend the title by striking out the following words from the title :

And to provide for the appointment of a stenographer and typewriter for the Adjutant-General.

GILBERT.

Which amendment was adopted.

And the title to Engrossed Senate Bill No. 385, as amended, was ordered to stand as the title of the act.

Senate Bill No. 403 was taken up as a special order for the hour.

Senator Watson made the following motion :

MR. PRESIDENT :

I move you that Senate Bill No. 403 be recommitted to its author and be amended as follows :

By inserting after the word "shall," in line 4, section 3, the following : "Dismiss said cause at plaintiff's cost and."

Also, by striking out of said section 3, line 5, the following : "And decree a foreclosure of said mortgage, as in other cases to foreclose such mortgage."

Also, by adding after the word "satisfied," in line 6, section 4, the following : "And the Clerk of said court shall make out and transmit therewith a certified copy of the pleadings and proceedings in said cause to the Auditor of State."

WATSON.

Which motion prevailed.

Senator Johnson, a committee of one, to whom was referred Senate Bill No. 403, with instructions, made the following report :

MR. PRESIDENT :

Your committee of one has amended Senate Bill No. 403 in accordance with the instruction of the Senate contained in the motion of Senator Watson, and returns the bill for the further action of the Senate.

JOHNSON.

Which report was concurred in.

President Haggard resumed the chair at 3:25 o'clock.

The question recurring upon the passage of Senate Bill No. 403.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Culbert, Duncan, Early, Gilbert, Gill, Goar, Goodwine, Gostlin, Holler, Horner, Houghton, Johnson of Madison, LaFollette, Leich, O'Brien, Patten, Phares, Rinear, Schneck, Self, Stroup, Wood. Total, 26.



Those voting in the negative were :

Senator Gochenour, Hawkins, Hogate, Hubbell, Hugg, Kerns, New, Shiveley, Sweeney, Watson. Total, 10.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Self moved that when the Senate adjourn that it adjourn to convene at 8 o'clock to night.

Which motion was lost on a standing vote of 17 in the affirmative to 18 in the negative.

Senator Shiveley moved that when the Senate adjourn that it adjourn to meet at 7:45 o'clock to-night.

Which motion was lost on a division, by which 19 voted in the affirmative to 22 in the negative.

Senator Shiveley moved that when the Senate adjourn that it adjourn to meet at 8 o'clock to-night.

Which motion prevailed.

Senator Hubbell moved that the vote by which Senator Shiveley's motion fixing the time of adjournment to 8 o'clock to-night carried be reconsidered.

Which motion prevailed by a division vote of 21 in the affirmative to 12 in the negative.

The question then recurring upon Senator Shiveley's motion fixing the time of adjournment to 8 o'clock to-night.

The ayes and noes were demanded by Senators Ball and Self.

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Collett, Culbert, Early, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Houghton, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, O'Brien, Phares, Self, Shiveley, White. Total, 21.

Those voting in the negative were:

Senators Alexander, Bobilya, Campbell, Drummond, Duncan, Ellison, Gill, Goar, Hogate, Holler, Horner, Hubbard, New, Nusbaum, O'Conner, Patten, Rinear, Schneck, Shea, Stroup, Sweeney, Watson. Total, 22.

So the motion did not prevail.

Senator Gostlin moved that the Senate concur in House amendment to Engrossed Senate Bill No. 342.

Which motion prevailed.

Senator Schneck moved that when the Senate adjourn that it adjourn to meet to-morrow morning at 9 o'clock.

Which motion did not prevail.

Senator Self called up Engrossed House Bill No. 549, and moved that the Constitutional rule requiring that bills shall be read on three several days be suspended; the bill be read a second time by title, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Nusbaum, O'Conner, Phares, Rinear, Schneck, Self, Stroup, Watson, White, Wood. Total, 37.

Senator Patten voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, passed to third reading, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, New, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Self, Shea, Shiveley, Stroup, Watson, White. Total, 37.

Senator Patten voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Watson was called to the chair at 4:25.

Senator O'Connor called up Engrossed House Bill No. 190, which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Campbell, Collett, Culbert, Drummond, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Horner, Houghton, Hugg, Humphreys, Kerns, LaFollette, Leich, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Watson, Wood. Total, 31.

Senator Sweeney voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Patten called up Engrossed House Bill No. 199.

Which was read a third time by sections and put upon its passage.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 520, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 520, entitled :

A bill for an act concerning organization of corporations, associations and societies to do business of life or accident, or life and accident, and total and permanent disability insurance on the assessment plan, and providing for the regulation and control of the same, and to regulate and control corporations, associations and societies organized in other States and counties doing such business in this State, and prescribing the duties of the Auditor of State in relation thereto, fixing penalties for the violation of its provisions, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to the Committee on Insurance.

President Haggard resumed the chair at 4:30.

Senator Ball made the following motion :

MR. PRESIDENT :

I move that Engrossed House Bill No. 199 be referred to Senator Ball with instructions that the figures "30" be stricken out in line 2 of section 2, and "25" inserted in lieu thereof.

BALL.

Senator Duncan moved that further consideration of Engrossed House Bill No. 199, be indefinitely postponed.

Which motion prevailed.

Senator Shiveley was called to the chair at 4:55.

Senator Rinear called up Engrossed House Bill No. 36.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called :

Those voting in the affirmative were :

Senators Bozeman, Duncan, Gochenour, Goodwine, Houghton, LaFollette, Phares, Schneck, Self, Watson, White, Wood. Total, 12.

Those voting in the negative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Early, Gilbert, Gill, Hawkins, Hogate, Horner, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Leich, New, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Shiveley, Sweeney. Total, 28.

So the bill failed to pass.

Senator New called up Engrossed House Bill No. 147.

Which was read a third time by sections and put upon its passage.

Senator Gochenour made the following motion :

MR. PRESIDENT :

I move to recommit Engrossed House Bill No. 147 to Senator New with instructions to strike out the following words in line 16: "Traveling salesmen or person," and insert the word "producer."

GOCHENOUR.

Which motion did not prevail.

Senator Gilbert moved that Engrossed House Bill No. 157 be advanced to second reading.

Which motion prevailed.

Senator Hawkins moved that the Senate do now adjourn.

Which motion did not prevail on a division vote of 15 in the affirmative to 18 in the negative.

Senator Watson made the following motion :

MR. PRESIDENT :

I move to recommit Engrossed House Bill No. 147 to a committee of one (Senator O'Brien), with instructions to strike out

all of the first proviso beginning with the word "provided," in line 11, and ending with the word "license," in line 15 of section 1.

WATSON.

Which motion prevailed.

Senator Nusbaum moved that Engrossed House Bill No. 543 be advanced to third reading.

The motion prevailed.

Senator O'Brien, a committee of one, to which was referred House Bill No. 147, with instruction, made the following report:

MR. PRESIDENT:

Your committee of one has amended Engrossed House Bill No. 147 in conformity with the instruction of the Senate, and returns the same for the further action of the Senate.

O'BRIEN.

Which report was concurred in.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Engrossed House Bill No. 138, introduced by Mr. Littleton, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. R. WOOD,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred House Concurrent Resolution No. 19, introduced by Mr. Wallrath,

has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said resolution do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Gochenour made the following motion :

MR. PRESIDENT :

I move to amend House Bill No. 147 as follows: Strike out all after the word "license" in line 15 of section 1.

GOCHENOUR.

Which motion did not prevail.

The question recurring on the passage of Engrossed House Bill No. 147.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Kerns, LaFollette, Leich, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 44.

Senator Johnston of Dearborn voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Shiveley moved that when the Senate adjourn, it adjourn to meet at 7:50 to-night.

Which motion was lost on a division vote of 11 in the affirmative and 22 in the negative.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 160, 322, 488, 334, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 504, 487, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 504, entitled :

A bill for an act providing for the consolidation of voluntary associations, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Engrossed House Bill No. 487, entitled :

A bill for an act concerning the opening of streets and alleys in incorporated towns in the State of Indiana.

Read first time and referred to Committee on Cities and Towns.

On motion of Senator Houghton the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.



**Engrossed House Bill No. 370, entitled :**

A bill for an act to prohibit plays, sports, pastimes and games of chance, and for amusement on the 30th day of May, commonly known as Memorial or Decoration Day, or on any day on which memorial services are held in memory of deceased soldiers of the Union army.

Read first time and referred to the Committee on Federal Relations.

**Engrossed House Bill No. 10, entitled :**

A bill for an act concerning the education of children.

Read first time and referred to the Committee on Education.

**Engrossed House Bill No. 470, entitled :**

A bill for an act to protect the owners or occupants of any lands bordering on navigable water courses wholly within the State or forming the boundaries thereof from trespasses, prescribing penalties for the violation of this act, repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to the Committee on Federal Relations.

**Engrossed House Bill No. 492, entitled :**

A bill for an act to amend section three (3) and four (4) of an act entitled an act to amend sections four (4), forty-nine (49), fifty (50), fifty-three (53), fifty-nine (59) of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency, approved February 23, 1895.

Read first time and referred to the Committee on Finance.

**Engrossed House Bill No. 368, entitled :**

A bill for an act relating to a division of the congressional township school fund on interest, when the school township is located within two or more counties and the school lands have all been sold and conveyed, fixing fees of school fund appraisers, repealing all acts and parts of acts in conflict, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

**Engrossed House Bill No. 45<sup>7</sup>, entitled :**

A bill for an act authorizing incorporated towns that have heretofore or may hereafter contract with any corporation, person or firm for supplying said town with electric lights, or other facilities for lighting said town or when any incorporated town has purchased any electric light system or other plant for lighting the town within its corporate limits, to levy and collect an annual tax of not more than fifty cents on each one hundred dollars' worth of taxable property in said town with which to pay said contract price agreed upon, or the purchase price of said electric light or other plant and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

**Engrossed House Bill No. 419, entitled :**

A bill for an act entitled an act to prevent the sale of impure miners' oil, describing the same, preventing the use of the same, fixing a penalty for the violation thereof and declaring an emergency.

Read first time and referred to the Committee on Mines, Mining and Manufactures.

**Engrossed House Bill No. 491, entitled :**

A bill for an act to amend section sixty seven (67) of an act concerning taxation, repealing all laws in conflict therewith and declaring an emergency, approved March 6, 1891.

Read first time and referred to the Committee on Finance.

**Senator Drummond introduced Senate Bill No. 478, entitled :**

A bill for an act fixing the times for holding court in the Forty-first Judicial Circuit of the State of Indiana, prescribing the length of terms thereof and repealing all laws in conflict therewith and declaring the time this act shall take effect.

Read first time and referred to the Committee on Judiciary.

Senator O'Brien offered the following Senate Resolution No. 49 :

MR. PRESIDENT :

I offer the following resolution :

WHEREAS, House Bill No. 122 was received in this Senate on March 2, 1897, and referred to the Committee on Temperance, which bill is entitled a bill for an act to regulate and license the sale of spirituous, vinous and malt and other liquors and declaring an emergency, which committee has not yet made any report on said bill, therefore be it

*Resolved*, That the Committee on Temperance is hereby instructed to return said House Bill No. 122 to the Senate on or before Friday, March 5, 1897, at 10 o'clock A. M., with or without a report, and that said bill shall be made a special order in the Senate at 10:30 o'clock A. M., on March 5, 1897.

J. O'BRIEN.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 586 and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 586, entitled :

A bill for an act abolishing contract labor in the State prisons and establishing the public account system, providing for the disposition and use of the articles manufactured in said prisons, and defining the powers and duties of the Superintendent, providing for the elimination of machinery, providing for the instruction of convicts, repealing all laws inconsistent herewith, and declaring an emergency.

Read first time and referred to the Committee on Labor.

Senator Watson moved that Senate Resolution No. 49, offered by Senator O'Brien, be referred to the Committee on Temperance.

Which motion prevailed on a division vote of 26 in the affirmative to 15 in the negative.

Senator Sweeney called up House Concurrent Resolution No. 19.

The resolution was read.

The question being on the adoption of House Concurrent Resolution No. 19.

The ayes and noes were demanded, and the roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, LaFollette, Mull, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 44.

Senators Johnston of Dearborn, and Kerns voting in the negative.

So the resolution was adopted.

The following message was received from the Governor:

INDIANAPOLIS, March 4, 1897.

*Mr. President and Gentlemen of the Senate :*

For the information of the Senate and all others concerned I respectfully announce that I will remain at the executive apartments and there receive enrolled acts passed by your honorable body until 12 o'clock midnight on Saturday, March 6, 1897.

Respectfully,

JAMES A. MOUNT,  
Governor.

Senator Hogate moved that the Senate do now take a recess, and resolve itself into a Committee of the Whole, with Senator Hubbell in the Chair.

Which motion prevailed.

Senator Shiveley moved that the officers of the Senate act as the officers of the Committee of the Whole.

Which motion prevailed.

At 11:31 o'clock A. M. the Committee of the Whole arose to receive the following communication from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No 416, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 604, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 604, entitled:

A bill for an act to legalize the incorporation of the town of Flora, Carroll County, Indiana, the election and qualification of its Board of Trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, and matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Shiveley moved that the Senate do now resume itself into a Committee of the Whole.

Which motion prevailed.

At 12 o'clock noon the Committee of the Whole arose on motion of Senator Newby.

Senator Hubbell, Chairman of the Committee of the Whole, made the following report:

MR. PRESIDENT:

Your Committee of the Whole begs leave to report that it has had House Bill No. 603 under consideration and has made progress thereon, and begs to resume at 2 o'clock P. M.

HUBBELL.

Which report was concurred in.

Senator Goar introduced Senate Bill No. 479, entitled :

A bill for an act providing for the assessment and taxation of all property, real and personal, controlled, operated and owned by private individuals, churches, literary, scientific and fraternal organizations, in excess of ten thousand dollars.

Read first time and referred to the Committee on Finance.

Senator LaFollette, Chairman of the Committee on Insurance, made the following report :

MR. PRESIDENT :

Your Committee on Insurance to which was referred House Bill No. 520, the same being a bill for an act concerning organization of corporations, associations and societies to do business of life or accident or life and accident, etc., introduced by Mr. Roots, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

LAFOLLETTE,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, under the authority vested in them by your appointment, proceeded to the Southern Insane Hospital, located at Evansville, and made an investigation of said institution. We beg leave to submit this, the following report of our examination made on the 4th and 5th days of February, 1897. Arriving at our destination we proceeded to investigate the institution by wards, and found the general condition of each and every one of them to be all that is necessary, conducive to the general health of the inmates therein confined. We also find that the food of the patients is of good, wholesome quality, and is given to them in sufficient quantities to supply their demands. We find their clothing to be such as is ordinarily provided in institutions of this kind. From a sanitary point of view we find that the institution is in very good condition—neatness and cleanliness

seeming to be the prevailing rules of the employes. We find the buildings now occupied by the patients to be in fairly good condition and properly cared for.

As to the general management of the institution itself, your committee begs leave to report that their investigation disclosed some conditions that not only meets with their disapproval, but shows an undue lack of care for the property of the State, and gross mismanagement of the appropriation made by this General Assembly in 1895.

At that time, pursuant to the report of the committee, on investigation, which showed a lack of capacity for the proper care and treatment of the patients therein confined, the General Assembly relying upon the knowledge and recommendations of the committee, made an appropriation of \$30,000, with which to make sufficient extensions to provide for all the insane of the district. In pursuance of the recommendation made by the committee and the appropriation made by the General Assembly, we find that a building was constructed at a cost of \$30,000, which took up the entire appropriation made, and that since its completion, sometime early in 1896, it has remained unoccupied, even though the remainder of the institution was taxed beyond its capacity for the proper care and treatment of the patients. We find that the amounts expended for improvement of the grounds, and construction of gates, as reported by the Board of Control, were beyond what was absolutely necessary and that if these amounts had been expended for the equipment of the building provided for by the appropriation made in 1895, the recommendations of the committee would have been carried out, and the lack of capacity therein existing would have been obviated, and the insane patients now confined within the walls of county jails and poor houses would have had the benefit of such care and treatment as should be provided for them. We would recommend that an appropriation be made to properly equip this building and make it ready for the immediate reception of these insane patients. Your committee further finds that by the general information afforded them with reference to Dr. A. J. Thomas, Superintendent of the Hospital, that he is not a proper or fit person to have the care and superintendence of such institution.

We arrived at this conclusion upon making inquiries of reputable persons only interested in the general conduct of the Hospital, for the care and treatment of those unfortunate enough to be compelled to seek its shelter. Our information upon this matter being beyond question, we can not help but take this opportunity of expressing our condemnation of his habits. All of which is respectfully submitted.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, having visited and carefully inspected the Central Hospital for the Insane, begs leave to submit the following report:

We found 1,486 present upon the occasion of the visit, of whom 652 were men and 834 were women.

The Fifty-ninth General Assembly made certain appropriations for needed repairs and improvements at this institution, and your committee has made note of what has been done with the money thus appropriated.

It was found that \$5,000 appropriated for plumbing in the men's department has been properly expended, but was insufficient to equip the building with proper sanitary conveniences.

The \$5,000 appropriated for painting was also applied to the purpose for which it was intended, but was insufficient to meet the needs.

The new kitchen for the department for women has been completed since the adjournment of the last General Assembly, and is now in use. It is thoroughly equipped with modern appliances, and will be satisfactory for many years to come.

The laundry, which lacked equipment at the time of the session of the last General Assembly, has also been completed and equipped, and is now believed to be the best of its kind in the country.



During the two years last preceding a pathological laboratory for the scientific study of mental diseases has been erected and equipped in the most approved manner at a total expense of \$15,000. Other improvements too numerous to mention here have been made.

After carefully considering the needs of the Hospital, your committee desires to recommend suitable appropriations for the following purposes :

*First.* The construction of a kitchen for the department for men, to take the place of the present kitchen and equipment, which are unsanitary in the highest degree and wholly inadequate for the demands made upon them.

*Second.* To complete the plumbing in the department for men, the appropriation of two years ago having been insufficient for that purpose.

*Third.* For completing and painting the woodwork of the principal buildings of the Hospital, the appropriation of two years ago having been entirely insufficient.

*Fourth.* The construction of a substantial green-house, to take the place of the present structure, which is almost ready to collapse, and is in imminent danger of falling and destroying a very valuable collection of plants during any wind storm which may occur.

*Fifth.* For the employment of a skilled pathologist, and the proper maintenance of the pathological laboratory. In this connection your committee would recommend that, since this laboratory is the property of the State of Indiana, its services shall be at the command of all the benevolent institutions of the State alike, and that it shall be the duty of the pathologist in charge of such laboratory to make such investigations and perform such services as shall be required of him by the management of any of said institutions.

In closing this report, your committee desires to commend the management of the Central Hospital for the Insane. The Superintendent is a man of skill in his profession, of great executive ability and is devoting his entire energies in a conscientious manner to the advancement and upbuilding of the institution of which he is in charge.

M. W. COLLETT,  
Chairman.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions begs leave to report that it has visited and examined the Soldiers' and Sailors' Orphans' Home at Knightstown, Indiana, and we find that there are therein three hundred and fifty (350) boys and 250 girls, a total of 600 children. There are now on file 200 applications for admission which are not able to be received on account of lack of room.

The appropriation of \$90,000 for maintenance is too small to properly maintain the institution after deducting premium on insurance, officers' salary and other necessary administrative expenses.

The buildings show that they have been carefully looked after, but it has been some years since the cornice, guttering and coping of the several buildings have been painted.

We find it, therefore, necessary that there should be an appropriation to properly preserve this property.

We also find that on account of a fire that happened many years ago the frame of the roof of the power-house was weakened, and it was necessary, to preserve the boiler, engine and other machinery, to rebuild the roof.

We think it poor economy for the State to allow such valuable property to go into decay for the lack of a small appropriation to keep it in good repair, and we believe by an outlay of \$5,000 that this valuable property could be preserved.

We believe that there is no better management in any of the institutions of the State than this; in fact, without making comparisons, that this is not only the model institution of Indiana, but, from what information we can gather, that it is the finest institution of its kind in the United States, of which we may well feel proud.

M. W. COLLETT,  
Chairman.

Which reports were concurred in.

Senator Leich offered the following resolution :

WHEREAS, Wm. McKinley is now President of the United States; therefore,

*Resolved*, That the Senate do now adjourn for dinner.

LEICH.

Which resolution was adopted.

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## THURSDAY AFTERNOON.

MARCH 4, 1897.

The Senate reconvened at 2 o'clock, with Lieutenant-Governor Haggard in the chair.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 92, 308 and 101, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 266, 413, 40, 280, 245, 235 and 461, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 399 and 588, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 399, entitled :

A bill for an act to prevent fraudulent transfers of property by creditors in embarrassed or failing circumstances.

Read first time and referred to the Committee on Judiciary.

Eugrossed House Bill No. 538, entitled :

A bill for an act authorizing the Governor of the State to appoint a commission of three persons to ascertain the practicability of reorganizing the judicial circuits of the State; make report to the next General Assembly; providing compensation.

Read first time and referred to the Committee on Judiciary.

Senator Hawkins made the following motion :

MR. PRESIDENT :

I move to reconsider the vote by which Engrossed House Bill No. 580 was passed, and that the House be requested to return the bill to the Senate.

HAWKINS.

Which motion prevailed.

Senator LaFollette moved that the regular order of business of the Senate be temporarily suspended.

Which motion prevailed.

Senator LaFollette called up Senate Bill No. 357.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gocheuour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 44.

Those voting in the negative were :

Senators Bobilya, Gill. Total, 2.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 438, 327, 24, 444, 37 and 61, introduced by Senators Houghton, Humphreys, Wood, Newby, New and Bozeman, and has compared the same with the engrossed bills and finds that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred in.

Senator Hogate moved that the Senate do now resolve itself into a Committee of the Whole. .

Which motion prevailed.

The Committee of the Whole arose at 2:30 o'clock P. M.

Senator Hubbell offered the following Senate Resolution No. 50 :

WHEREAS, William McKinley, by right of the expressed will of the people of the United States, to-day at noon assumed the office of President of the United States; and

WHEREAS, This distinguished statesman and tribune of the people is the President of every American citizen, and a man in whom every patriotic American takes pride and bids God-speed in his exalted but arduous service of the people, therefore be it

*Resolved*, That the President and Principal Secretary of the Senate be, and they are hereby instructed to send a message of congratulation to the new President in the following words, to wit:

The Senate of the State of Indiana now in session, felicitates the American people upon your accession to the Presidency and wishes you, in behalf of the great State of Indiana, God-speed in your labors.

HUBBELL.

Senator Shea moved to lay the resolution on the table.

Which motion did not prevail.

And the resolution was adopted.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, begs leave to report that it has examined Enrolled Senate Bills No. 92, introduced by Senator Alexander, No. 101, introduced by Senator Hogate, and No. 308, introduced by Senator Horner, and has compared the same with the engrossed bills, and finds that said bills have been properly enrolled.

W. L. BALL,  
Chairman.

Which report was concurred in.

At 3 o'clock P. M., Senator Watson moved that the Senate do now resume itself into a Committee of the Whole.

Which motion prevailed.

On motion of Senator Shiveley the Committee of the Whole arose at 5:10 o'clock to receive the following communication from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 563, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 563, entitled :

A bill for an act to legalize the acts of Boards of County Commissioners in allowing claims of Trustees for moneys paid

into county or bridge funds of the county through a misconstruction of section 6833 Burns' Revised Statutes, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

At 5:15 o'clock Senator Shiveley moved that the Senate do now resume itself into a Committee of the Whole.

Which motion prevailed.

At 5:30 o'clock, on motion of Senator Nusbaum, the Committee of the Whole arose.

Senator Hubbell, Chairman of the Committee of the Whole, made the following report:

MR. PRESIDENT:

I am directed by the Committee of the Whole to inform the Senate that the committee has had House Bill No. 603 under consideration and has made progress thereon, and wishes to resume at 10:15 o'clock to-morrow.

HUBBELL.

Which report was concurred in.

Senator Shiveley called up Engrossed House Bill No. 127 and moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read a second time by title, passed to third reading, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bozeman, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 41.

Senator Campbell voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, passed to third reading, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Culbert, Drummond, Duncan, Ellison, Gilbert, Gill, Goar, Goche-nour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Shiveley offered the following amendment to the title of Engrossed House Bill No. 127:

MR. PRESIDENT:

I move to amend the title to Engrossed House Bill No. 127 by adding in line two of said title after the word "fifth" the words "and seventh."

SHIVELEY.

Which amendment was adopted and the title of the bill as amended was ordered to stand as the title of the act.

Senator Holler moved that the Senate concur in House amendment to Engrossed Senate Bill No. 461.

Which motion prevailed.

Senator Shiveley moved that when the Senate adjourn that it adjourn to meet at 8 o'clock this evening.

Which motion prevailed.

Senator Bozeman moved that Engrossed House Bill No. 502 be passed to third reading.

Which motion prevailed.

And the bill was read a second time by title.



Senator Ball moved that Engrossed House Bill No. 63 be passed to third reading.

The motion prevailed, and the bill was read a second time by title.

Senator Schneck moved that Senate Bill No. 23 be ordered engrossed.

Which motion prevailed.

Senator Collett moved that Engrossed House Bill No. 138 be passed to third reading.

Which motion prevailed, and the bill was read a second time by title.

On motion of Senator Shiveley the Senate adjourned.

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## THURSDAY EVENING.

MARCH 4, 1897.

The Senate reconvened at 8 o'clock, with Lieutenant Governor Haggard in the chair.

The roll was called for House Bills on third reading.

Senator Schneck called up Engrossed House Bill No. 76.

The bill was put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Bozeman, Drummond, Duncan, Early, Ellison, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Hubbell, Johnson of Madison, Kerns, Mull, New, Newby, Nusbau, O'Brien, O'Connor, Patten, Phares, Schneck, Wood.  
Total, 26.

Those voting in the negative were :

Senators Ball, Bethell, Collett, Gilbert, Houghton, Hugg, Humphreys, Johnston of Dearborn, LaFollette, Leich, Rinear, Shea, Shiveley, Sweeney, Watson, White. Total, 16.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The Committee on Revision of the Constitution made the following reports :

MR. PRESIDENT :

A majority of your Committee on Revision of the Constitution, to which was referred House Bill No. 388, introduced by Mr. Thomas, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. D. EARLY,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Revision of the Constitution, to which was referred House Bill No. 388, introduced by Mr. Thomas, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the same do pass.

HOGATE,  
SHIVELEY,  
SHEA,  
HAWKINS.

The question being on the substitution of the minority report for the majority report.

The minority was not substituted for the majority.

The majority report was concurred in.

Senator Gilbert called up Engrossed House Bill No. 157.

Which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 44.

Senator Holler voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator Shea called up Engrossed House Bill No. 502, and moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called.

Those voting in the affirmative were :

Senators Bozeman, Collett, Culbert, Drummond, Early, Ellison, Gilbert, Goar, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Schneck, Shea, Shiveley, Stroup, Watson, White Wood. Total, 37.

Those voting in the negative were :

Senators Campbell, Gill, Rinear, Sweeney. Total, 4.

So the constitutional rule was suspended.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Collett, Culbert, Drummond, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, O'Brien, Pat-ten, Phares, Schneck, Shea, Shiveley, Watson, White. Total, 32.

Those voting in the negative were:

Senators Alexander, Campbell, Gill, Johnston of Dearborn, O'Connor, Kinear, Sweeney. Total, 7.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Shiveley called up Engrossed House Bill No. 406.

Which was read a third time by sections and put upon its passage.

Senator Duncan was called to the chair at 8:55.

Lieutenant-Governor Haggard resumed the chair at 9:05.

Senator Hogate was called to the chair at 9:10.

The question being on the passage of Engrossed House Bill No. 406.

The roll was called.

Those voting in the affirmative were:

Senators Bethell, Campbell, Gill, Hawkins, Hogate, Holler, Johnston of Dearborn, Nusbaum, O'Connor, Shiveley, Wood. Total, 11.

Those voting in the negative were:

Senators, Alexander, Ball, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin,

Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Kerns, Leich, Mull, New, Newby, O'Brien, Patten, Phares, Rinear, Schneck, Shea, Sweeney, Watson, White. Total, 31.

So the bill failed to pass.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 319 and 521, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 319, entitled :

A bill for an act for the incorporation of class fire insurance companies on the mutual plan ; defining their powers and prescribing their duties and the duties of the Auditor of State, providing penalties for the violations of this act, repealing all laws in conflict herewith and declaring an emergency.

Read a first time and referred to Committee on Insurance.

Engrossed House Bill No. 521, entitled :

A bill for an act to amend section eleven (11) and section twenty (20) of an act entitled an act for the incorporation of insurance companies, defining their powers and describing their duties, approved June 17, 1852, adding supplemental section thereto, repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to the Committee on Insurance.

Senator Stroup called up Engrossed House Bill No. 543, which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Gostlin,

Hawkins, Hogate, Horner, Hubbell, Hugg, Johnson, Johnston, Kerns, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 40.

Senators Bethell and Houghton voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Watson called up Engrossed House Bill No. 114.

Which was read a third time by sections and put upon its passage.

Senator Gilbert made the following motion :

MR. PRESIDENT :

I move to refer Engrossed House Bill No. 114 to a committee of one, Senator Watson, with instructions to amend by striking out the words "or guardian" in lines 56, 58 and 59 of section 1 of the printed bill, and by inserting the word "or" in line 56 of said section before the word "administration," and in line 58 of said section before the word "administration," and in line 59 of said section before the word "administration."

GILBERT.

Which motion did not prevail.

Lieutenant-Governor Haggard resumed the chair at 9:50.

Senator Gostlin, Chairman of the Committee on Elections, made the following report :

MR. PRESIDENT :

Your Committee on Elections begs leave to report that we have examined all the claims submitted to us in regard to the contest election case of Culbert vs. Rogers, and we find that it was a very expensive contest, and we further find that, in our opinion, the State ought not to be charged with all the costs thereof, as it would tend to encourage contests that had no merit in them.

That we, therefore, recommend that the following amounts be allowed to the parties, to wit :

Uriah Culbert, to apply on attorney's fees and general expenses.....	\$65 00
Rogers .....	65 00
John Clocksein, J. P.....	15 00
Jacob Foland, J. P.....	15 00
Jennie McKeen, stenographer.....	70 00
Ernest Shortridge .....	70 00
<b>Total .....</b>	<b>\$300 00</b>

Respectfully submitted,

W. H. GOSTLIN,  
Chairman.

*Resolved*, That the foregoing report be concurred in by the Senate, and that the Assistant Secretary of the Senate be and he is hereby directed to draw his warrants in favor of the persons therein named for the respective sums allowed them in the report.

W. H. GOSTLIN.

The question being on concurring in the report submitted by Senator Gostlin.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bozeman, Collett, Duncan, Early, Ellison, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, Leich, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Shiveley, Watson, White, Wood. Total, 35.

Those voting in the negative were :

Senators Ball, Campbell, Drummond, Gill, O'Connor, Shea, Stroup, Sweeney. Total, 8.

Senator Culbert was excused from voting.

So the report was concurred in and the resolution adopted.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 442, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 186, 236, 239, 544 and 190, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 444, 827, 24, 37 and 61, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move to recommit to Senator Gilbert Engrossed House Bill No. 114 to amend by inserting in line 1 of section 1 of the printed bill after the word "that" these words : "Section one of an act entitled an act to amend sections eleven (11), one hundred and fourteen (114), one hundred and fifteen (115), one hundred and twenty-five (125), one hundred and twenty-nine (129), one hundred and thirty-two (132), of an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency. Approved March 6, 1891, and declaring an emergency. Approved March 1, 1895," and that lines 283 and up to the figures 1891 in said section be stricken out.

ELLISON.

Which motion prevailed.



Senator Gilbert, a committee of one, to which was referred Engrossed House Bill No. 114, with instructions, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Engrossed House Bill No. 114, with specific instructions to amend, reports the same back amended according to said instructions.

GILBERT.

Which report was concurred in.

The question being on the passage of Engrossed House Bill No. 114.

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bozeman, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Hubbell, Humphreys, Johnston of Dearborn, Kerns, Leich, Mull, Newby, O'Brien, O'Connor, Patten, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 38.

Those voting in the negative were:

Senators Hawkins, Houghton, Hugg, New. Total, 4.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Watson offered the following amendment to the title of Engrossed House Bill No. 114:

MR. PRESIDENT:

I move to amend the title of House Bill No. 114 so the same may read as follows:

A bill for an act to amend section 1 of an act entitled an act to amend sections eleven (11), one hundred and fourteen (114), one hundred and fifteen (115), one hundred and twenty-five (125), one hundred and twenty-nine (129) and one hundred and thirty-two (132) of an act concerning taxation, repealing all laws in conflict therewith and declaring an emergency, approved

March 6, 1891, and declaring an emergency, approved March 1, 1895, and declaring an emergency.

WATSON.

Which amendment was adopted.

The title, as amended, was ordered to stand as the title of the act.

Senator White called up Engrossed House Bill No. 510, which was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bozeman, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Johnson, Johnston, Kerns, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Pat-ten, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 44.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Engrossed House Bill No. 526, introduced by Mr. East, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the same be amended by striking out the words "of an act," immediately following the figures "640," in section one of said bill, and by inserting the words "of the Revised Statutes of 1881, being an act," and inserting "section 640" after the word "follows," in section one, and by amending the title as follows,

to wit: By inserting after the figures "640," the words "of the Revised Statutes of 1881, being," and that said bill as so amended do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Drummond called up Engrossed House Bill No. 526, and moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read a second time by title, passed to third reading, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bozeman, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 43.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, passed to third reading, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bozeman, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 43.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Wood called up Engrossed House Bill No. 126.

Which was read a second time by title and passed to third reading.

Senator LaFollette, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

We, your committee to whom was referred House Bills Nos. 319 and 521, beg leave to report the same back to the Senate with the recommendation that the same do pass.

J. J. M. LAFOLLETTE.

Which report was concurred in.

Senator Humphreys called up Senate Bill No. 353.

Which was read a second time by title.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred House Bill No. 10, introduced by Representative Monyhan, would report that said bill has been under consideration and they recommend said bill do pass.

DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman, and others of the Committee on Education, made the following report:

MR. PRESIDENT:

A majority of your Committee on Education, to which was referred House Bill No. 451, introduced by Mr. Gibson, has had

she same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be recommitted to the Committee on Finance.

DUNCAN,  
Chairman.

EARLY,  
GOODWINE,  
HOBELL.

MR. PRESIDENT:

A minority of your Committee on Education, to which was referred House Bill No. 451, introduced by Mr. Gibson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
SHEA,  
HORNER.

The question being on the substitution of the minority for the majority report.

The substitution was not made and the majority report was concurred in.

Senator Shiveley moved that the further consideration of Engrossed House Bill No 451 be indefinitely postponed.

Which motion prevailed.

Senator Hawkins moved that Engrossed House Bill No. 520 be advanced to third reading.

Which motion prevailed.

And the bill was read a second time by title.

Senator Newby moved that the Senate do now adjourn.

Which motion did not prevail.

Engrossed Senate Bill No. 353 was called up and read a third time by sections.

On motion of Senator Newby the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## FRIDAY MORNING.

MARCH 5, 1897.

The Senate convened at 10 o'clock, with Lieutenant-Governor Haggard in the chair.

Prayer was offered by the Rev. Dr. C. C. Lasby, of Indianapolis.

The Assistant Secretary read a portion of the Journal of yesterday's proceedings, but, on motion of Senator Johnson of Madison, the further reading of the same was dispensed with.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 465, introduced by Senator Holler, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 487, introduced by Mr. Nicholson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred House Bill No. 604, introduced by Mr. Clauser, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 460, introduced by Senator Leich, by request, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT :

Your Committee on Cities and towns, to which was referred Senate Bill No. 459, introduced by Senator Leich, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 475, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the same do pass.

HUGHTON,  
Chairman.

Which report was concurred in.

Senator Alexander, Chairman of the Committee on Mileage, made the following report:

MR. PRESIDENT:

Your Committee on Mileage, reports that Senator Patten is entitled to the following mileage in addition to that already reported:

115 miles, at 20c..... \$23 00

F. M. ALEXANDER,  
Chairman.

Which report was concurred in.

The Committee on Temperance made the following reports:

MR. PRESIDENT:

A majority of your Committee on Temperance, to which was referred Engrossed House Bill No. 122, introduced by Mr. Nicholson, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.  
BALL,  
WOOD,  
CAMPBELL.

MR. PRESIDENT:

A minority of your Committee on Temperance, to which was referred Engrossed House Bill No. 122, introduced by Mr. Nicholson, has had the same under consideration, and begs



leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

LEICH.

The question being on the substitution of the minority for the majority report.

The substitution was not made, and the majority report was concurred in.

Senator O'Brien moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, McCord, Mull, New, Newby, Nusbaum, O'Brien, Phares, Schneck, Self, Shiveley, Watson, Wood. Total, 35.

Those voting in the negative were:

Senators Culbert, Houghton, Leich, White. Total, 4.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections.

The following message was received from the Governor:

INDIANAPOLIS, IND., March 5, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed the following Senate Enrolled Acts, to wit:

No. 92. An act to amend section one of an act entitled "An act concerning the partition of lands."

No. 308. An act to provide for the examination of mine bosses, fire bosses and mining engineers at coal mines, and prohibiting the employment of persons not having certificates, etc., and providing penalties.

No. 101. An act for the incorporation of farmers' and citizens' voluntary associations, etc.

All of which have been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

Read in the Senate at 10:15 A. M. Friday, March 5, 1897.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 402, 639, 477, and adopted House Concurrent Resolution No. 20, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also, I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 199, 426, 254, 8, 39, with engrossed House amendment thereto, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 639 :

A bill for an act to amend section one (1) of an act entitled an act to amend section one (1) of an act entitled 'an act to provide for the appropriation of real estate for cemetery purposes,' approved March 9, 1889, and declaring an emergency, approved March 11, 1895, and legalizing recording of articles of association of cemetery societies, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 402, entitled :

A bill for an act authorizing County Treasurers to pay over to Township Trustees any unexpended balance of any fund collected by special levy for the purpose of purchasing gravel roads or assisting in the construction of railroads, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

House Concurrent Resolution No. 20 :

WHEREAS, Pleasant A. Hackleman was the only General from Indiana killed in battle during the Rebellion from 1861 to 1865 ; and

WHEREAS, The State has made no public recognition of his services and sacrifice ; therefore be it

*Resolved by the House of Representatives, the Senate concurring therein,* That a commission be constituted, consisting of the Governor and two members to be appointed by him, one of such members to be suggested by the family of said Hackleman, and the other to be a member of the Grand Army of the Republic.

It shall be the duty of such commission to procure and consider plans and estimates for a statue of the said Hackleman, to be erected in the State House or upon the grounds surrounding the same, at Indianapolis, and report to the next General Assembly, together with recommendations concerning same.

The resolution was read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 477 :

A bill for an act concerning mortgages on household goods, defining rights and duties of the parties thereunder and the remedy for enforcing same, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Early moved that the further consideration of Engrossed House Bill No. 122 be made a special order for 3 o'clock this afternoon.

Which motion prevailed.

Senator Early moved that the Senate concur in the House amendments to Senate Bill No. 39.

The motion prevailed.

Senator Newby moved that the Committee on Enrolled Bills be increased.

The motion prevailed.

And the Lieutenant-Governor appointed Senators Stroup, Culbert, Collett, Rinear and O'Connor as the new members of the committee.

Senator Hogate moved that the Senate do now resolve itself into a Committee of the Whole with Senator Hubbell in the chair, and resume the consideration of Engrossed House Bill No. 603.

The motion prevailed.

At 11:45 the Committee of the Whole arose and the Senate resumed business with President pro tem. Shiveley in the chair.

Senator Hubbell, Chairman of the Committee of the Whole, reported that the committee had directed him to report that they had had Engrossed House Bill No. 603 under consideration and had made progress thereon, and begged leave to sit again at 2 o'clock.

Which report was concurred in.

The consideration of Senate Bill No. 353, which was read a third time yesterday and left pending, was taken up.

Senator Gilbert made the following motion:

MR. PRESIDENT:

I move to refer Senate Bill No. 353 to its author, with instructions to amend by striking out the word "shall" in line 47 of section 1 of said bill and inserting in lieu thereof the word "may."

The motion prevailed.

Senator Newby, a committee of one, to which was referred Senate Bill No. 353 with specific instructions to amend, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 353, with specific instructions to amend, has complied with the instructions of the Senate, and herewith returns the bill for the further action of the Senate.

L. P. NEWBY.

Which report was concurred in.

The question being, Shall Senate Bill No. 353 pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, Leich, McCord, Mull, Newby, O'Brien, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 40.

Senator Self voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

On motion of Senator Hubbell, the Senate adjourned.

## FRIDAY AFTERNOON.

MARCH 5, 1897.

The Senate reconvened at 2 o'clock, with Lieutenant-Governor Haggard in the chair.

Senator Gostlin called up House Bill No. 568.

He then moved that the bill be substituted for Senate Bill No. 310.

The motion prevailed.

House Bill No. 568 was read a third time by sections and put upon its passage.

Senator Drummond moved that the further consideration of House Bill No. 568, be made a special order for 10 o'clock to-morrow.

Senator Hogate called up House Bill No. 639.

Senator Hogate moved that the constitutional rule requiring that bills be read on three several days be suspended, that House Bill No. 639 be read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 44.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 43.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator New moved that the Senate concur in House amendment to Senate Bill No. 199.

The motion prevailed.

Senator Shea called up House Bill No. 10. He then moved to make House Bill No. 10 a special order for 11 o'clock tomorrow.

The motion prevailed.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report, by Senator Horner:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 195, introduced by Senator Horner, and 416, introduced by Senator Wood, and has compared the same with the engrossed bills, and finds that said bills have been properly enrolled.

WALTER L. BALL,  
Chairman.

Which report was concurred.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report by Senator Stroup :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills No. 160, 413, 285 and 247, and has compared the same with the Engrossed bills and finds that said bills have been properly enrolled.

E. E. STROUP,  
JOHN W. RINEAR.

Which report was concurred in.

Senator LaFollette moved that House Bill 294 be advanced to third reading.

The motion prevailed.

And the bill was then read a second time by title and passed to third reading.

Senator Gilbert made the following motion :

MR. PRESIDENT :

I move you that a committee of five Senators be appointed by the President, who shall examine all bills now pending in the Senate and select from the same those which shall first be considered by the Senate.

GILBERT.

The motion was read and referred to the Committee on Rules.

Senator Gill moved that Engrossed House Bill No. 319 be advanced to third reading.

The motion prevailed.

Engrossed House Bill No. 319 was then read a second time by title and passed to third reading.

On request of Senator Newby, House Bill No. 429 was read a second time by title and passed to third reading.



Senator Wood called up House Bill No. 581.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Culbert, Drummond, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Stroup, Sweeney, Watson, Wood. Total, 39.

Those voting in the negative were :

Senators Campbell, Collett, Johnston of Dearborn. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 13 and 334, introduced by Senators Hawkins and Hubbell, and has compared the same with the engrossed bills, and find that said bills have been properly enrolled.

BALL,  
Chairman.

Which report was concurred in.

Senator Duncan called up House Bill No. 521.

The bill was read a second time by title and passed to third reading.

Senator Duncan moved that House Bill No. 521 be made a special order for 11:05 to-morrow.

Senator Hogate moved that the Senate do now resolve itself into a Committee of the Whole for the further consideration of House Bill No. 603, and that Senator Hubbell take the chair.

The motion prevailed.

At 3 p. m. the Committee of the Whole arose for the Senate to take up the consideration of special order, House Bill No. 122.

Senator Hubbell, the Chairman of the Committee of the Whole, reported that the committee, having had House Bill No. 603 under consideration, had made progress thereon, and begged that they might sit again as soon as the business demanding the present attention of the Senate had been completed.

The report was concurred in and leave granted for the Committee to sit again.

House Bill No. 122 was taken up as the special order for 3 o'clock.

Senator Gilbert moved the previous question, and the Senate seconded the motion.

Senator Watson moved that the vote by which the Senate seconded the demand for the previous question be reconsidered.

The motion did not prevail on a division vote of the Senate on which eighteen Senators voted in the affirmative and twenty in the negative.

The question being, Shall the main question be now put?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shiveley, White, Wood. Total, 40.

Those voting in the negative were :

Senators Culbert, Holler, Houghton, Humphreys, Johnston of Dearborn, Leich, Shea, Stroup, Sweeney. Total, 9.

So the main question was put.

The question being, Shall House Bill No. 122 pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Pat-ten, Phares, Rinear, Sebneck, Self, Shiveley, White, Wood. Total, 40.

Those voting in the negative were :

Senators Culbert, Holler, Houghton, Humphreys, Johnston of Dearborn, Leich, Shea, Stroup, Sweeney. Total, 9.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the Governor :

INDIANAPOLIS, IND., March 5, 1897.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 438. An act concerning the levy of taxes to pay bonds issued to raise means to construct turnpikes or gravel roads.

Also :

Senate Enrolled Act No. 24. An act to amend sections 4, 10 and 17 of an act to establish the Indiana State Soldiers' Home, etc.

Also :

Senate Enrolled Act No. 31. An act to amend section 12 of an act for the incorporation of street railroad companies.

Also :

Senate Enrolled Act No. 37. An act to prevent the spread of disease among swine, and declaring an emergency.

Also :

Senate Enrolled Act No. 444. An act to provide for the better government, management, control and supervision of the benevolent institutions of the State.

All of which have been deposited with the Secretary of State.

Respectfully,

CHARLES E. WILSON,  
Private Secretary.

Read in the Senate at 3:20 P. M., on Friday, March 5, 1897.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 19, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator O'Brien moved that the Senate concur in the House amendments to Senate Bill No. 19.

The motion prevailed.

Senator Hogate moved that the Senate do now resolve itself into a Committee of the Whole, with Senator Hubbell in the chair, and resume the consideration of House Bill No. 603.

The motion prevailed.

The Committee of the Whole arose at 4:35 for the Senate to receive a message from the House, and the Chairman thereof made the following report :

MR. PRESIDENT :

The Committee of the Whole Senate, having had under consideration House Bill No. 603, have made progress thereon, and beg leave to sit again as soon as the business of the Senate will permit.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 416, 413. 334, 245, 235, 195, 160 and 13, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 451, 300, 434, and Senate Joint Resolution No. 4, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 431, 554 and 223, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 431 :

A bill for an act to amend section 48 of an act entitled "An act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate and contest thereof," approved May 31, 1852.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 554 :

A bill for an act prohibiting the manufacture and sale of adulterated candy in the State of Indiana, and providing penalty for the same.

Read first time and referred to the Committee on Public Health.

**Engrossed House Bill No. 233 :**

A bill for an act to amend sections 1 and 4 of an act entitled "An act concerning interest and usury," approved March 10, 1879, the same being sections 5198 and 5201 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Judiciary.

Senator Hogate moved that the Senate do now resolve itself into a Committee of the whole Senate, with Senator Hubbell in the chair, and resume the consideration of House Bill No. 603.

Which motion prevailed.

The Committee of the Whole arose at 5:40.

The Senate then resumed business with Lieutenant-Governor Haggard in the chair.

Senator Hubbell, Chairman of the Committee of the Whole, made the following report :

**MR. PRESIDENT :**

The Committee of the Whole Senate, having had under consideration House Bill No. 603, has made progress, and begs leave to sit again to-morrow morning at 10 o'clock.

The following message was received from the House:

**MR. PRESIDENT :**

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Act No 549 and the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Newby offered the following resolution :

**MR. PRESIDENT :**

WHEREAS, On the 3d day of March, 1897, the Senate reconsidered the vote whereby House Bill No. 580 passed a third reading, therefore be it

*Resolved*, That the Governor be requested to return said bill to the Senate for its further consideration.

NEWBY.

Which resolution was adopted.

Senator Shiveley moved that when the Senate adjourns it adjourn to meet at 9 o'clock A. M. to-morrow.

Senator Watson moved to amend the motion of Senator Shiveley by fixing the time at 9:30 o'clock A. M.

Senator Watson's motion prevailed.

The question being on the motion of Senator Shiveley as amended by the motion of Senator Watson.

The motion prevailed.

Senator New offered Senate Resolution No. 53, as follows:

*Resolved*, That James Thomson, William Perry and Ran Butler be allowed each the sum of one dollar (\$1.00) per day additional to their regular compensation for the services rendered by them during this session.

Which resolution was adopted.

Senator Goodwine offered Senate Resolution No. 54.

MR. PRESIDENT:

I offer the following resolution:

WHEREAS, The Doorkeeper of this Senate appointed Thomas C. Powell as paper folder; and

WHEREAS, Said Thomas C. Powell has not been employed as paper folder, but was assigned to duty as an Assistant Doorkeeper, and has served continually and faithfully as such; therefore,

*Resolved*, That said Thomas C. Powell be allowed the sum of five dollars (\$5.00) per day for the whole number of days so employed.

GOODWINE.

Which resolution was adopted.

On motion of Senator Hawkins the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

## SATURDAY MORNING.

MARCH 6, 1897..

The Senate convened at 9:30, with Lieutenant-Governor Haggard in the chair.

Assistant Secretary Egnew began the reading of the Journal of yesterday, and Senator Hawkins moved that the further reading of the same be dispensed with.

The motion prevailed.

Senator Hawkins called up House Bill No. 520.

The bill was read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ellison called up House Bill No. 319.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.



Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schenck, Self, Shea, Shiveley, Sweeney, Watson, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 641, 640, 565, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 640:

A bill for an act to amend section twenty (20) of an act entitled an act to establish a department of public parks in cities having more than one hundred thousand (100,000) population according to the last preceding United States census, and creating a board of park commissioners, defining the powers and duties of such board and matters connected therewith and declaring an emergency, approved March 1, 1895, and declaring an emergency.

Read a first time and referred to the Committee on Affairs of the City of Indianapolis.

Engrossed House Bill No. 641:

A bill for an act concerning the collection of road taxes and providing penalty for its violation and declaring an emergency

Read a first time and referred to the Committee on Judiciary

Engrossed House Bill No. 565, entitled :

A bill for an act to amend section 1, 2, 5, 6, 7, 8 and 10, of an act entitled and act concerning the construction of free gravel, stone, or other macadamized roads, providing for their location, the manner of their construction and providing for the payment of the same as for their maintenance, and declaring an emergency, approved March 3, 1893, and declaring an emergency.

Read first time and referred to the Committee on Roads.

Senator Hogate made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 429, which has passed both houses, has been signed by the Governor and deposited with the Secretary of State, be by the Senate recalled from the office of the Secretary of State for the purpose of comparison.

HOGATE.

The motion prevailed.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 344, introduced by Mr. Kell, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Gilbert, Chairman of the Committee on County and Township Business, to which was referred House Bill No. 402, introduced by Mr. Newton, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

GILBERT,  
Chairman.

Which report was concurred in.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined :

Enrolled Senate Bill No. 280, introduced by Senator Bozeman,  
No. 421, introduced by Senator Gilbert,  
No. 309, introduced by Senator Gostlin,  
No. 11, introduced by Senator Houghton,  
No. 462, introduced by Senator Johnston,  
No. 162, introduced by Senator Watson,  
No. 387, introduced by Senator O'Brien,  
No. 342, introduced by Senator Culbert, and  
No. 65, introduced by Senator Nusbaum,

And has compared the same with the engrossed bills, and finds that said bills have been properly enrolled.

WALTER C. BALL,  
Chairman.

Which report was concurred in.

Senator Newby moved that House Bill No. 597 be made a special order for 2 o'clock to-day.

Which motion prevailed.

Senator LaFollette called up House Bill No. 294.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bobilya, Campbell, Collett, Duncan, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Newby, Nusbaum, O'Brien, O'Connor, Phares, Schneck, Self, Shea, Shiveley, Watson, White, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Horner moved that the Senate concur in House amendments to Senate Bill No. 474.

The motion prevailed.

Senator Mull, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 479, introduced by Senator Goar, has had the same under consideration, and begs leave to report the same back with the recommendation that the same be printed.

THOS. K. MULL,  
Chairman.

Which report was concurred in.

Senator Ball moved that House Bill No. 586 be made a special order or 2:30 to-day.

The motion prevailed.

Senator Ellison moved that the Senate do now resolve itself into a committee of the whole Senate, with Senator Hubbell in the chair, for the purpose of further considering House Bill No. 603.

The motion prevailed.

At 10:15 the Committee of the Whole arose.

Lieutenant-Governor Haggard resumed the chair and received the following message from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 353, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 147, 167, 542, 157 and 502, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed House Bill No. 625 (original) and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 578, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 76 and 226, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 578, entitled :

A bill for an act to prevent the creation, maintenance and operation of trusts and combinations in the business of fire and life insurance, defining certain duties of the Attorney-General and Prosecuting Attorneys in relation thereto, prescribing penalties for the violation of the provisions thereof and repealing all laws in conflict therewith.

Read first time and referred to the Committee on Judiciary.

House Bill No. 625 (original):

A bill for an act to amend section fifty-nine (59) of an act entitled an act concerning the incorporation and government of cities having more than one hundred thousand (100,000) population, according to the last preceding United States Census, and matters connected therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency.

Read first time and referred to the Committee on the Affairs of the City of Indianapolis.

The Senate then resolved itself into a Committee of the Whole to further consider House Bill No. 603.

The Committee of the Whole arose at 12:10, and the Senate resumed business with Lieutenant-Governor Haggard in the chair.

Senator Hubbell, Chairman of the Committee of the Whole, made the following report:

MR. PRESIDENT:

The Committee of the Whole Senate, having had under consideration House Bill No. 603, have directed me to report the same with amendments.

O. Z. HUBBELL,  
Chairman.

Which report was concurred in.

Senator Hogate moved that the constitutional rules requiring that bills be read on three several days be suspended, that the Engrossed House Bill No. 603 be read a second time by title, considered engrossed, and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton,

Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Schneck, Self, Shiveley, Stroup, Watson, White, Wood. Total, 42.

Senator Drummond voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Collett, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Phares, Self, Shiveley, Watson, White, Wood. Total, 88.

Those voting in the negative were:

Senators Campbell, Drummond, Gill, Nusbaum, O'Connor, Patten, Shea, Stroup, Sweeney. Total, 9.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 451 and 19, and has compared the same with the engrossed bills and finds that said bills have been properly enrolled.

URIAH CULBERT.

Which report was concurred in.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 426, 39, 312, 254, 300, 199 and Senate Joint Resolution No. 4, and has compared the same with the engrossed bills, and finds that said bills and Senate Joint Resolution No. 4 have been properly enrolled.

E. E. STROUP,  
JOHN W. RINEAR.

Which report was concurred in.

On motion of Senator Watson the Senate adjourned.

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## SATURDAY AFTERNOON.

MARCH 6, 1897.

The Senate reconvened at 2 o'clock, with Lieutenant-Governor Haggard in the chair.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred House Bill No. 504, introduced by Mr. Newton, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

COLLETT,  
Chairman.

Which report was concurred in.

Senator Hogate moved that the constitutional rule requiring that bills be read on three several days be suspended, that House Bill No. 504 be read a second time by title, read a third time by sections and put upon its passage.



The question being, Shall the constitutional rule be suspended.

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Patten, Phares, Schneck, Self, Shea, Shiveley, Stroup, Watson, Wood. Total, 35.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Patten, Phares, Schneck, Self, Shiveley, Stroup, Watson, White, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the Governor:

INDIANAPOLIS, IND., March 6, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 13, an act amending an act for the incorporation of street railroad companies and declaring an emergency.

Also :

Senate Enrolled Act No. 413 :

An act concerning the paving of streets and alleys in cities and towns.

Also :

Senate Enrolled Act No. 235 :

An act relating to the sale of real estate by assignees and trustees under the act of voluntary assignments.

Also :

Senate Enrolled Act No. 416 :

An act for the more perfect auditing of moneys disbursed by the different departments of the State government.

Also :

Senate Enrolled Act No. 245 :

An act amending section 119 of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, fixing fees, etc.

Also :

Senate Enrolled Act No. 195 :

An act to regulate the weighing of coal, providing for the safety of employes, prohibiting boys and females from working in mines, etc.

Also :

Senate Enrolled Act No. 160 :

An act for the incorporation of associations for the purpose of acquiring and owning real estate, etc.

All of which have been deposited with the Secretary of State.

Respectfully,

CHARLES E. WILSON,  
Private Secretary.

Also :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has caused to be deposited with the Secretary of State Senate Enrolled Act No. 327 without his approval.

Respectfully,

CHARLES E. WILSON,  
Private Secretary.

Read in Senate Chamber at 2:08 o'clock P. M. on Saturday, March 6, 1897.

Senator New, Chairman of the Committee on the Affairs of the City of Indianapolis, made the following report :

MR. PRESIDENT :

Your Committee on the Affairs of the City of Indianapolis, to which was referred Engrossed House Bill No. 640, introduced by Mr. Elliott, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEW,  
Chairman.

Which report was concurred in.

Senator New moved that the constitutional rule requiring that bills be read on three several days be suspended. that House Bill No. 640 be read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerne, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Schneck, Self, Shea, Shiveley, Stroup, Watson, White, Wood. Total, 41.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Collett, Duncan, Early, Ellison, Gilbert, Goodwine, Gostlin, Hawkins, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Watson, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hawkins made the following motion:

MR. PRESIDENT:

I move that the Clerk of the Senate be instructed to deliver to the House a copy of Engrossed Senate Bill No. 468.

HAWKINS.

The motion prevailed.

Senator Humphreys called up House Bill No. 366.

The bill was read a second time by title.

Senator Humphreys moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Ellison, Goodwine, Gostlin, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Watson, Wood. Total, 38.

None voting in the negative.

So the constitutional rule was suspended, the bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, McCord, New, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Watson, White, Wood. Total, 39.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 357, 207, 251, 63, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 220 and 566, and adopted House Concurrent Resolutions Nos. 22, 23, 24, and the same are herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Engrossed House Bill No. 220 :

A bill for an act amending sections number twenty-eight (28), twenty-nine (29) and thirty (30) of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881 (being sections 1929, 1930 and 1931 of the Revised Statutes of 1881), and declaring an emergency.

Read first time, and referred to the Committee on Judiciary.

Engrossed House Bill No. 566, entitled :

A bill for an act to repeal the last or proviso clause of section two (2) of an act entitled an act to amend sections 16, 19, 20, 21 and 31, the same being sections 4300, 4303, 4304, 4305 and 4314 of the Revised Statutes of 1881 of an act entitled an act to enable the owners of lands to drain and reclaim them, when the same can not be done without affecting the lands of others, prescribing the powers and duties of County Commissioners and other officers in the premises and to provide for the repair and enlargement of such drains and repealing certain acts therein specified, and declaring an emergency, approved April 21, 1881, and to provide a method of repairing drains and declaring an emergency, approved March 6, 1891, and declaring an emergency.

Read first time and referred to the Committee on Swamp Lands and Drains.

House Concurrent Resolution No. 22 :

*Resolved*, That we take this occasion to express our high appreciation for the prompt, efficient manner that William B. Burford, State Printer, has exercised towards the General Assembly during its sixtieth session, and further wish to express our gratitude for his kindness in presenting each of the members of the House and Senate a photogravure containing the pictures of the members of both the Senate and House.

## House Concurrent Resolution No. 23:

**WHEREAS**, There has been many and important laws enacted by this Legislature on the subject of building and loan associations; therefore be it

*Resolved*, That the Secretary of State be directed to cause to be printed through the Commissioners of Public Printing, in cheap pamphlet form copies of each of said laws enacted by this Legislature, to be distributed to the counties in the same number, time and manner as the Acts of the Legislature are distributed.

## House Concurrent Resolution No. 24:

**WHEREAS**, The Vincennes University, a corporation organized by an act of the Territorial Legislature of Indiana, is claiming a large sum of money as due to said Vincennes University from the State of Indiana; and,

**WHEREAS**, Said sum has not been paid, and no basis of settlement has been reached between the State of Indiana and said Vincennes University; now, therefore, be it

*Resolved by the House of Representatives of the State of Indiana, the Senate concurring therein*, That the Governor of this State shall, within ninety (90) days after the adjournment of the present General Assembly, appoint a commission of three disinterested persons to investigate said claim; and it shall be the duty of such commission to examine into the merits of said claim of the Vincennes University against the State of Indiana and report the result to the next General Assembly at the beginning of its regular session, with such recommendations as such commission may desire to make.

Senator Gostlin called up Engrossed House Bill No. 568.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Gochenour,

Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, New, Newby, Nusbaum, O'Brien, Patten, Phares, Schneck, Shiveley, White, Wood. Total, 37.

Those voting in the negative were :

Senators Ellison, Mull, Rinear, Self, Sweeney. Total, 5.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act.

It was so ordered.

House Concurrent Resolution No. 23 was taken up for consideration, and was concurred in by the Senate.

House Concurrent Resolution No. 24 was considered by the Senate, and the Senate refused to concur in the resolution.

Senator Duncan called up House Bill No. 402.

He then moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title and a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called :

Those voting in the affirmative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Culbert, Drummond, Duncan, Ellison, Gilbert, Goodwine, Gostlin, Hogate, Horner, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, New, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 37.

None voting in the negative.

So the constitutional rule was suspended, the bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called :



Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Culbert, Duncan, Ellison, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Humphreys, Johnson, Johnston, Leich, Mull, New, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

The following communication was received from the House:

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 421, 462, 11, 65, 162, 280, 309, 337, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

House Bill No. 10 was taken up as the special order for the hour.

The bill was read a third time by sections.

Senator Drummond made the following motion:

MR. PRESIDENT :

I move to refer Engrossed House Bill No. 10 to Senator Shea as a committee of one to amend section 2 by striking out the word "ten" in line 18, and by inserting in lieu thereof the word "one," and by striking out the word "fifty" in line 19 of said section and inserting in lieu thereof the word "five," and to strike out all following the word "dollars" in section 2.

DRUMMOND.

The motion did not prevail.

Senator Leich made the following motion :

MR. PRESIDENT :

I move to recommit Engrossed House Bill No. 10 to its author to amend by striking out all of section 4 and then renumber the sections.

LEICH.

The motion did not prevail.

Senator Holler made the following motion :

MR. PRESIDENT :

I move that House Bill No. 10 be referred back to Senator Shea, a committee of one, to be amended by striking out the word "ten," in line 5 of section 9, and inserting the word "three" in lieu thereof.

HOLLER.

Which motion was lost.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 471, 335, 105, 401, and Enrolled House Act No. 185 (Fifty-ninth General Assembly), notwithstanding the veto of Ex-Governor Matthews, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Senator Schneck made the following motion :

MR. PRESIDENT :

I move to refer Engrossed House Bill No. 10 to its author, to amend section 1.

To strike out the word "twelve (12)," in line (6) and insert instead the word "sixteen."

SCHNECK.

The motion was lost.

The question being, Shall House Bill No. 10 pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bozeman, Campbell, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Houghton, Hubbell, Hugg, Johnson, Johnston, Kerns, McCord, Mull, New, Newby, O'Brien, O'Conner, Phares, Rinear, Self, Shea, Shiveley, Watson, White, Wood. Total, 35.

Those voting in the negative were :

Senators Alexander, Bethell, Bobilya, Collett, Culbert, Drummond Holler, Humphreys, Leich, Nusbaum, Patten, Schneck, Stroup, Sweeney. Total, 14.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 461, introduced by Senator Holler, and 442, introduced by Senator Hugg, and has compared the same with the Engrossed Bills, and finds that said bills have been properly enrolled.

BALL,  
Chairman.

Which report was concurred in.

House Bill No. 521 was taken up as the special order for the hour.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were :

Senators Ball, Bethell, Bozeman, Collett, Culbert, Drummond, Duncan, Early, Gill, Goar, Gochenour, Goodwine, Gost-

lin, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Johnston of Dearborn, Kerns, LaFollette, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Sweeney. Total, 35.

Senator Campbell voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Ball, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 266 and 8, introduced by Senators Hogate and Newby, and has compared the same with the Engrossed Bills, and finds that said bills have been properly enrolled.

BALL,  
Chairman.

Which report was concurred in.

Engrossed House Bill No. 597 was taken up as the special order of the hour.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bobilya, Bozeman, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Humphreys, Johnson of Madison, Kerns, LaFollette, McCord, Mull, New, Newby, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson. Total, 41.

Senator Campbell voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Newby made the following motion :

MR. PRESIDENT :

I move that the message of Governor Matthews, vetoing Enrolled House Act No. 285, be entered upon the Journal of this Senate, and that the Senate now proceed to the consideration of said bill, notwithstanding the objections of the Governor.

NEWBY.

Which motion prevailed.

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND., March 16, 1895. }

*To the Secretary of State :*

SIR—I file with you House Bill No. 285 without approving it. It is an act regulating decedents and the apportionment of estates, and defining the rights of second or subsequent childless wives, and the rights of children by former wives, etc.

Provisions of sections 2 and 3, it seems to me, would open the way for injustice to heirs in such estates, and invites unscrupulous speculation in the matter of inheritances of this nature, and is so vicious in its character that it should not become a law.

Respectfully,

CLAUDE MATTHEWS,  
Governor.

Senator Gilbert moved that House Enrolled Act No. 285 of the session of 1895 be made a special order for Monday at 10 o'clock A. M.

The motion prevailed.

Senator Ball called up House Bill No. 586.

The bill was read a second time by title.

Senator Ball moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Collett, Gilbert, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Humphreys, Johnson of Madison, LaFollette, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Shiveley, Stroup, Sweeney, Watson, White. Total, 84.

Those voting in the negative were:

Senators, Bethell, Campbell, Culbert, Drummond, Duncan, Early, Gill, Gostlin, Kerns, Leich, Schneck. Total, 11.

So the constitutional rule was suspended.

The bill was read a third time by sections and put upon its passage.

Senator Ellison made the following motion:

MR. PRESIDENT:

I move to commit this bill to Senator Johnson, to amend section 4 of House Bill No. 586 by inserting, following the word "after," these words, "April 1, 1899, and."

ELLISON.

Which motion did not prevail.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Early, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson of Madison, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 42.

Senators Culbert and Ellison voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Collett called up House bill No. 138.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell; Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 41.

Those voting in the negative were:

Senators Ball, Hubbell, Patten. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 477, introduced by Mr. Spooner, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

NEWBY,  
Chairman.

Which report was concurred in.

Senator Hugg moved that the constitutional rule requiring that bills be read on three several days be suspended, that House Bill No. 477 be read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Duncan, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Horner, Hugg, Johnson, Johnston, Kern, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 41.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Horner, Hugg, Johnston of Dearborn, Kerns, Leich, McCord, Mull, Newby, O'Brien, O'Connor, Patten, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 35.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.



Senator Goar called up House Bill No. 487.

He then moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, Newby, O'Brien, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stronp, Sweeney, Wood. Total, 35.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bobilya, Bozeman, Campbell, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hogate, Holler, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Sweeney, Watson, White, Wood. Total, 41.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Early moved that the Senate concur in the House amendments to Senate Bill No. 441.

The motion prevailed.

Senator Ellison moved that the Senate concur in the House amendments to Senate Bill No. 120.

The motion prevailed.

Senator McCord, Chairman of the Committee on Mines and Manufactures, made the following report:

MR. PRESIDENT:

Your Committee on Mines and Manufactures, to which was referred House Bill No. 613, introduced by Mr. Henderson, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the same do pass.

McCord,  
Chairman.

Which report was concurred in.

Senator McCord, Chairman of the Committee on Mines and Manufactures, made the following report:

MR. PRESIDENT:

Your Committee on Mines and Manufactures, to which was referred Engrossed House Bill No. 419, introduced by Mr. Thornton, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

McCord,  
Chairman.

Which report was concurred in.

Senator Newby moved that whereas the House had failed to concur in the Senate amendments to House Bill No. 603, a committee of three members of the Senate be appointed to confer with a like committee from the House on said bill.

The motion prevailed.

Senator Shiveley was called to the chair to preside at 4:35.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has disagreed to the Senate Amendments to House Bill No. 603, and has asked for a Conference Committee of three from each House, and the House has appointed as its conferees Messrs. Smith of Tippecanoe, Harris and Swope.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 4, 39, 312, 342, 426, 451, 300, 254, 199, 19 and 461, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 167, 543, 581, 510, 526, 639, 122, 114 and 127, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 281, 390, 154 and 458; Engrossed Senate Bills Nos. 441 and 120, with Engrossed House Amendments thereto, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also :

I am directed by the House to inform the Senate that the House has passed House Bill No. 530 (original), Engrossed House Bill No. 533, and the same is herewith transmitted for the action of the Senate.

B. H. PRATHER,  
Principal Clerk.

Lieutenant Governor Haggard resumed the chair at 4:40.

The President of the Senate named Senators Mull, Hogate and Bobilya as the members of the conference committee to consider Senate amendments to House Bill No. 603.

Senator Goodwine made the following motion :

MR. PRESIDENT :

I move to take from the table the question to reconsider the question on the passage of House Bill No. 290, by which said bill failed to pass.

GOODWINE.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 111 and 360, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

House Bill No. 530, entitled :

A bill for an act providing for the impeachment and removal from office of public officers.

Read first time.

Engrossed House Bill No. 533, entitled :

A bill for an act to amend section 1 of an act approved February 23, 1853, entitled " An act to authorize railroad companies to consolidate their stock with the stock of railroad companies in this or an adjoining State, and to connect their roads with the roads of said companies, and to authorize railroad companies to construct their roads on the routes which they may have heretofore surveyed and located, and to use and occupy the same when completed. Said section being section 3971 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to the Committee on Railroads.

Senator Drummond moved to table the motion of Senator Goodwine.

Which motion was lost.

The question being, Shall the motion of Senator Goodwine prevail?

By a division of 20 in the affirmative to 15 in the negative the motion prevailed.

Senator Wood moved that the vote by which House Bill No. 290 failed to pass be reconsidered.

The motion prevailed by a division of 20 in the affirmative and 15 in the negative.

The question being, Shall House Bill No. 290 pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Culbert, Early, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Hnbbell, Hugg, Johnston of Dearborn, Kerns, LaFollette, Leich, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Schneck, Shea, Stroup, White, Wood. Total, 27.

Those voting in the negative were:

Senators Bobilya, Campbell, Drummond, Duncan, Ellison, Gill, Holler, Houghton, Humphreys, Johnson of Madison, Kinear, Watson. Total, 12.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

Senator Phares offered the following amendment to the title to House Bill No. 290:

By striking out the word "fifty" in line 5, and inserting in lieu thereof the word "forty."

PHARES.

Which amendment was adopted.

And the title as amended was ordered to stand as the title of the act.

Senator O'Connor moved that the constitutional rule requiring that bills be read on three several days be suspended, that Engrossed House Bill No. 604 be read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended.

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bozeman, Campbell, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, Leach, McCord, New, Newby, Nusbaum, O'Brien, O'Connor, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 40.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Campbell, Culbert, Duncan, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Holler, Houghton, Hubbell, Johnson, Johnston, Kerns, LaFollette, Leach, McCord, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Gill called up Engrossed House Bill No. 380.

Senator Gill moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were :

Senators Bethell, Bobilya, Campbell, Ellison, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Hugg, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Phares, Rinear, Schneck, Self, Shea, Stroup, Sweeney, Watson, White, Wood. Total, 35.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Holler, Houghton, Hubbell, Hugg, Humphreys, Johnston of Dearborn, Kern, LaFollette, Leich, McCord, Mull, New, Newby, Nusbaum, O'Brien, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 43.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Hubbell moved that the vote by which House Concurrent Resolution No. 24 was defeated be reconsidered.

Senator Drummond moved to table the motion of Senator Hubbell.

Which motion prevailed.

Senator Watson moved that the text of House Bill No. 530 be substituted for the text of Senate Bill No. 402, and that when so substituted, that the bill (H. B. 530) be put upon its passage.

The motion prevailed.

House Bill No. 530 was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Collett, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hugg, Humphreys, Johnston of Dearborn, Kerns, LaFollette, McCord, Mull, New, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Self, Shiveley, Sweeney, Watson, White, Wood. Total, 40.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator New moved that the text of House Bill No. 513 be substituted for Senate Bill No. 379, and that when so substituted that the bill be put upon its passage.

The motion prevailed.

Senator Gilbert was called to the chair at 5:30.

House Bill No. 513 was put upon its passage.

The question being, Shall the bill pass?

The roll was called.



Those voting in the affirmative were :

Senators Bozeman, Collett, Culbert, Duncan, Early, Ellison, Gilbert, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Hubbell, Hugg, Kerns, LaFollette, McCord, Mull, New, Newby, O'Brien, Phares, Schneck, Shea, Shiveley, Watson, White, Wood. Total, 29.

Those voting in the negative were :

Senators Alexander, Campbell, Drummond, Gill, Humphreys, Johnston of Dearborn, Nusbaum, Patten, Rinear, Stroup. Total, 10.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Senator Schneck called up Senate Bill No. 396.

Senator Gill moved that the further consideration of Senate Bill No. 396 be indefinitely postponed.

The motioned prevailed.

Senator Schneck, Chairman of the Committee on Roads, made the following report :

MR. PRESIDENT :

Your Committee on Roads, to which was referred House Bill No. 563, introduced by Mr. Downey, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

L. SCHNECK,  
Chairman.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Railroads, made the following report:

MR. PRESIDENT :

Your Committee on Railroads, to which was referred House Bill No. 533, has had the same under consideration, and begs

leave to report the same back to the Senate, with the recommendation that said bill do pass.

WATSON,  
Chairman.

Which report was concurred in.

Senator LaFollette called up House Bill No. 533.

He then moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Drummond, Early, Ellison, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Hubbell, Humphreys, Kerns, LaFollette, Leich, Mull, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, White, Wood. Total, 37.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title and a third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Bethell, Bobilya, Bozeman, Collett, Early, Gilbert, Gill, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Hubbard, Johnston of Dearborn, Kerns, LaFollette, Leich, McCord, New, Nusbaum, O'Brien, O'Connor, Patten, Phares, Schneck, Shiveley, Stroup, Sweeney, White, Wood. Total, 31.

Those voting in the negative were:

Senators Campbell, Houghton, Humphreys, Rinear. Total, 4.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act?

It was so ordered.

Lieutenant Governor Haggard resumed the chair at 5:45.

The Committee on Enrolled Bills made the following report:  
MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 471, 434, 353, 207, 40, and has compared them with the engrossed bills, and finds that said bills have been properly enrolled.

E. E. STROUP,  
JOHN W. RINEAR.

Which report was concurred in.

Senator Hubbell, Chairman of the Committee of the Whole, that had under consideration Engrossed House Bill No. 603, made the following report:

MR. PRESIDENT:

The Committee of the Whole Senate of the State of Indiana, having had under consideration House Bill No. 603, has directed me to report the same back with the following amendments:

Add to section one the words, "unless otherwise provided by statute."

Also, amend section two (2), line thirteen (13), by striking out the words "five hundred," and inserting in lieu thereof the words "one thousand."

Also, amend section two, line ten, by striking out the word "twelve" (12), and inserting in lieu thereof the word "fifteen."

Also, to amend section two, line twelve, by striking out the words "one thousand," and inserting in lieu thereof the words "twelve hundred."

Also, to amend section two, item two, line twenty seven, by adding the following after the word "dollars": "*Provided*, That any of said sum not used shall be covered into the State Treasury.

Also, to amend section two, line forty-eight, by adding before the word "fifteen" the words "at the rate of."

Also, to amend section two, lines forty-three and forty-four, by striking out the words "one thousand" and substituting in lieu thereof the words "twelve hundred."

Also, to amend section two, item four, line sixty, by adding the following words: "Specific. For the Deputy Treasurer of State, for copying three books containing accounts of permanent endowment fund of Indiana University into one book and checking up and verifying the records, two hundred dollars."

Also, to amend section two, item five, line seventy-one, by adding after the word "specific" the following: "And traveling expenses for year ending October 31, 1897, not exceeding four hundred dollars."

Also, to amend section two, item five, line sixty-six, by striking out the word "twenty-four" and inserting in lieu thereof the word "eighteen."

Also, to amend section two by striking out specific item of said section beginning at line forty-seven and ending with line fifty-three.

Also, to amend section two, item six, line eighty-two, by striking out the word "six" and inserting in lieu thereof the word "eight."

Also, to amend section two, item eight, lines ninety-three, ninety-four and ninety-five, by striking out all that part of said lines commencing with the word "to," in line ninety three, and ending with the word "dollars" in line ninety-five.

Also, to amend section two, item nine, line ninety-eight, by striking out the word "fifteen" and inserting in lieu thereof the word "twelve."

Also, to amend section two, item ten, line one hundred and eighteen, by striking out the words "eight hundred and fifty dollars," and inserting in lieu thereof the words "four hundred dollars."

Also, to amend section two, item twelve, lines one hundred and fifty three, one hundred and fifty-four and one hundred and fifty-five, by striking out all of said lines and inserting in

lien thereof the following: "Specific. For the payment of the deficiency illuminating bill, two thousand dollars; to reimburse repairs and supply fund of the State House, one thousand dollars, both of which specific appropriations shall be immediately available."

Also, to amend section two, item twelve, line one hundred and forty-nine, by inserting before the word "seven" the following: "Subject to the approval of the Governor."

Also, to amend section two, item thirteen, line one hundred and sixty-three, by adding thereto these words: "That before receiving such salary, such clerk shall file an itemized statement, showing how much he has received since his last settlement, on account of fees earned in his office for transcripts and copies of opinions of the Judges of the several courts of this State, and from whom received, and pay the same into the treasury of the State."

Also, to amend section two, item fourteen, line one hundred and eighty-five, by inserting after the word "dollars," in said line, the following: "And five hundred dollars annually are hereby appropriated to each of the Judges of the Appellate Court, to be paid to each of them quarterly, beginning with April 1, 1897, for stenographic work and typewriting in the preparation of their opinions."

Also, to amend section two, item fourteen, lines one hundred and eighty-six and one hundred and eighty-seven, by striking out all that part of said lines, after and including the word "for," in line one hundred and eighty six.

Also, to amend section two, item sixteen, lines two hundred and fourteen and two hundred and fifteen, by striking out the words "eighty-seven thousand five hundred dollars," in said line, and insert in lieu thereof the words "ninety-three thousand dollars."

Also, to amend section 2, item 16, line 220 by striking out the word "ninety-five" and inserting in lieu thereof the word "ninety."

Also, to amend section 2, item 16, line 239, by adding after the words "three thousand dollars" in said line the following:

The receipts from sales of articles made to be paid into the State Treasury to the credit of the maintenance fund of the institution.

Also, to amend section 2, item 16, line 246, by striking out the words "twenty-five hundred" in said line and inserting in lieu thereof the words "five thousand."

Also, to amend section 2, item 17, line 256, by striking out the words "eighty thousand" in said line and inserting in lieu thereof "ninety thousand."

Also, to amend section 2, item 17, line 258, by striking out the words "twenty-one" in line 258 and inserting in lieu thereof the word "eleven."

Also, to amend section 2, item 17, line 258, by adding after the word "hospital" in said line the words "and furniture."

Also, to amend section 2, item 17, line 274, by adding after the word "dollars" the following:

To secure the use of a farm, and for implements and articles necessary to cultivate the same, five thousand dollars, of which three thousand dollars shall be available at once, and two thousand dollars when needed during the fiscal year ending October 31, 1898.

Also to amend section 2, item 17, line 278, by adding at the end of such line the following: "The specific sums herein appropriated shall include architect and Superintendent of Construction's compensation."

Also to amend section 2, item 18, line 305, by adding the following at the end of said line 305: "Which arrangement for printing said bulletins shall begin at once."

Also to amend section 2, item 18, line 314, by inserting the following at the end of said line: "*Provided*, That the Commissioners of the Public Printing, Binding and Stationery shall be directed to be caused to be printed annually one thousand copies of the report of the Society, in the same manner as other State reports."

Also to amend section 2, item 18, line 319, by inserting after the word "specific" the following words: "For an Old Men's Home, fifteen thousand dollars."

Also to amend section 2, item 18, line 317, after the word "chapel" strike out the word "five" and insert the word "eight."

Also to amend section 2, item 18, line 327, by inserting the following words after the word "equipments:" For the purchase of gravel, delivered on ground, for the streets, roads and sidewalks, two thousand dollars, or so much thereof as may be necessary."

Also to amend section 2, item 18, line 327, by inserting at the end of said line the following: "which specific appropriations shall include architect and supervisor of construction fees."

Also to amend section 2, item 20, by inserting the following: "George J. Langsdale for conducting the business of the Board of Commissioners of the State Soldiers' and Sailors' Monument, two hundred and sixty-eight dollars."

Also to amend section 2, item 20, line 389, by adding and inserting the following after said line 389: "To John R. Kennington, for the payment of assessments for sweeping during the year 1895, Pennsylvania Street, where the same abuts upon the property of the State of Indiana, in the city of Indianapolis, in front of the University Park and the Indiana Institute for the Education of the Blind, and for the payment of the assessment for sprinkling during the year 1896, of State Avenue, where the same abuts on the property of the State used by the Institute for the Education of the Deaf and Dumb, in the city of Indianapolis, the sum of four hundred and twenty-eight dollars and twenty-four cents (\$428.24).

Also to amend section 2, item 20, by adding and inserting the following after line 395: "To Theodore E. Brown, surviving partner of the firm of Theodore E. Brown and Thomas Hale, deceased, doing business under the firm name and style of Theodore E. Brown and Company, for the payment of the assessments for sprinkling during the year 1896, of Blackford Street from New York Street to Wabash Street; Market Street from Senate Avenue to Blackford Street; and Wabash Street from West Street to Blackford Street, where said streets abut on the ground belonging to the State of Indiana, in the city of Indianapolis, the sum of eighty-six dollars and three cents (\$86.03).

Also, to amend section 2, item 20, by adding the following words after line 433: "That the amounts herein appropriated shall be, if received, taken as full compensation for all services performed under and by virtue of holding the office and performing the duties thereof, for which such appropriation is made, and all laws giving any salary or different amount shall be to that extent repealed."

Also, to amend section 1, item 8, by inserting at the end of item 8 the following: "For the salary of a clerk for the Reporter of the Supreme Court nine hundred dollars (\$900.00)."

Also, to amend section 2, item 18, by striking out the following, beginning with the word "such," in line 297, "such number of the Appellate Court Reports not to exceed fifteen hundred," and insert in lieu thereof the following, "not to exceed twelve hundred copies of the Appellate Court Reports."

Also, to amend section 2, item 7, by inserting after the word "dollars," in line 86, the following: "For the salary of the State Librarian six hundred (600) dollars."

Also, to amend section 3, line 8, by striking out the words "the same," where they first occur, and insert in lieu thereof the words, "such new and additional buildings and machinery."

Also, to amend section 2, item 22, by adding the following at the end of said item 22: "In all cases when a specific salary or compensation is named in any of the preceding sections of this act, for a deputy, assistant, typewriter, clerk, or other subordinate or employe, the same shall be paid directly to and receipted for by such deputy, assistant, typewriter, clerk or other subordinate or employe, and who shall make and file an affidavit that he has actually performed the services for which said salary is attached, and that no part thereof has been, or is to be, directly or indirectly, divided with or paid to any other person on account of or by reason of such employment."

Also to amend section 3 by inserting at the end of said section the following: In case provision is not hereinbefore made for the payment to any State officer, or judge, of the salary



fixed by law for his office, such salary shall be paid out of any funds in the State Treasury not otherwise appropriated.

O. Z. HUBBELL,  
Chairman.

Attest:

W. H. EVANS,  
Clerk.

Which report was concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Acts Nos. 380, 487, 290, 533, 477, 319, 586, 366, 294, 504, 521, 188, 640, 530, 520, 10, 513, 402, 597, 604, 568, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Acts Nos. 434, 207, 853, 40, and the same are herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 311, 190, 119, 260, Engrossed Senate Joint Resolution No. 5, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bills Nos. 120, 405, 63, 251, 119, 390, 357, 441, 270, 401, 458, 385, 111, 281, 154, 360, 190, 311, 260, and Joint Resolution No. 5, and has compared the same with the Engrossed Bills, and finds that said bills have been properly enrolled.

E. E. STROUP,  
COLLETT.

Which report was concurred in.

On motion of Senator Shiveley, the Senate adjourned.

W. S. HAGGARD,  
President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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## MONDAY MORNING.

MARCH 8, 1897.

The Senate convened to 10 o'clock, with Lieutenant-Governor Haggard in the chair.

The Senate was led in prayer by the Rev. Dr. Parrott, of Indianapolis.

After a portion of the Journal had been read, the further reading of the same was dispensed with on motion of Senator Houghton.

Senator Gilbert made the following motion:

MR. PRESIDENT:

I move that the further consideration of all bills, except House Bill No. 603, and except such bills as may have received executive disapproval, be indefinitely postponed.

GILBERT.

Which motion prevailed.

Senator Hubbell offered Resolution No. 56, as follows :

MR. PRESIDENT :

I offer the following resolution and move the adoption thereof :

WHEREAS, Mrs. Sarah May claims that the State of Indiana is indebted to her in the sum of several thousand dollars, therefore, be it

*Resolved*, That a committee of three hold-over Senators be appointed by the Lieutenant-Governor to investigate the same and report upon its validity to the Sixty first General Assembly.

HUBBELL.

Which resolution was adopted.

Senator Shiveley offered Senate resolution No. 55, as follows :

WHEREAS, The Indiana General Assembly in 1895, authorized the appointment of a commission to consider and report to this General Assembly plans for the celebration in 1900 of the centennial anniversary of the establishment of civil government in Indiana Territory; and

WHEREAS, The Governor appointed as members of said commission, the following named persons:

Eli Lilly, E. B. Martindale, Indianapolis.

Hugh Dougherty, Bluffton.

Clem Studebaker, South Bend.

First District. Philip W. Frey, Evansville; Jas. Burkett, Cannelton.

Second District. Thos. B. Buskirk, Paoli; John Weathers, Leavenworth.

Third District. Chas. L. Jewett, New Albany; H. C. Hobbs, Salem.

Fourth District. J. H. Russe, Lawrenceburg; Will Cumback, Greensburg.

Fifth District. John W. Cravens, Bloomington; Jas. I. Irwin, Columbus.

Sixth District. Arthur W. Brady, Muncie; J. N. Huston, Connersville.

Seventh District. U. S. Jackson, Greenfield; Chas. T. Doxey, Anderson.

Eighth District. Thos. J. Mann, Sullivan; Frank McKeen, Terre Haute.

Ninth District. Eli Marvin, Frankfort; C. C. Shively, Kokomo.

Tenth District. M. M. Hathaway, Winamac; J. C. Hadley, Logansport.

Eleventh District. H. B. Smith, Hartford City; E. L. Goldthwaite, Marion.

Twelfth District. Chas. McCulloch, Fort Wayne; S. A. Woods, Angola.

Thirteenth District. James A. Arthur, Goshen; William Haynes, Notre Dame.

Said commission having subsequently organized with Col. Eli Lilly as President, and Myron D. King as Secretary, and

WHEREAS, The said commission has devoted much time to this work without remuneration and without expense to the State, the Commissioners each having paid their individual expenses, and funds for clerical services, printing, stationery, postage, etc., having been provided by the Commercial Club of Indianapolis, and

WHEREAS, The Indiana Centennial Commission, in pursuance of the resolution authorizing its appointment, has prepared and submitted to this General Assembly a carefully considered report, embodying plans for a celebration of the aforesaid centennial anniversary, be it

*Resolved*, That the Indiana General Assembly, recognizing the praiseworthy public spirit of the members of the Indiana Centennial Commission and their patriotic work on behalf of the State, hereby gives assurance of its high appreciation of their services to the State; and, be it further

*Resolved*, That the Assistant Secretary of the Senate be and is hereby authorized and directed to insert the aforesaid report in the publication containing the documents of the Senate for reference and use in case the Legislature shall desire to cause a celebration of the centennial anniversary of the organization of Indiana as a State in 1916.

SHIVELY.

Which resolutions were adopted.

Senator Hugg offered the following resolution :

**WHEREAS**, It is now necessary under the present custom for the Assistant Secretary to employ a large number of assistants in making up the record of the Senate in script or long-hand writing ; and,

**WHEREAS**, It appears that the wonderful progress made in later years in stenography and typewriting makes the old system of work cumbersome and slow ; and,

**WHEREAS**, The time seems to demand a change in the present system of record work of this Senate. Therefore be it

*Resolved*, That the President of this Senate is hereby directed to appoint a committee of four members, to consist of two Senators of the majority, one of the minority of this Senate of hold-over Senators, and the fourth member to be some person thoroughly versed in the clerical work of legislative affairs by former experience, who shall report at the opening of next session, with their recommendations.

Which resolution was adopted.

Senator Phares offered the following resolution :

**WHEREAS**, John W. Longwell, one of the Senate Doorkeepers and acting during the present session as Senate Mail Carrier, purchased three locks for the mail sacks at a cost of \$2.25. Therefore

*Resolved*, That the Assistant Secretary of the Senate be hereby authorized to draw a warrant for \$2.25 in favor of said John W. Longwell, in payment in full to him for said money so expended.

PHARES.

The resolution was adopted.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move that the vote indefinitely postponing House Bill No. 46 be reconsidered, and on that I demand the ayes and noes.

ELLISON.

Senator Hubbell made the point of order that the motion of Senator Ellison was out of order on account of being in conflict with the provisions of the motion of Senator Gilbert, which prevailed this morning.

The Chair held the point well taken.

Senator Ellison appealed from the decision of the Chair and demanded the ayes and noes.

The demand for the roll-call was seconded by Senator Sweeney.

The question being, Shall the decision of the Chair be sustained by the Senate?

The roll was called.

Those voting in the affirmative were:

Senators Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gilbert, Goar, Gochenour, Goodwine, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, LaFollette, Leich, New, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wood. Total, 32.

Those voting in the negative were:

Senators Campbell, Ellison, Gill, Horner, Humphreys, Johnston, Nusbaum, O'Connor, Rinear, Shea, Sweeney. Total, 11.

So the decision of the Chair stood as the decision of the Senate.

House Bill No. 285, 59th General Assembly, vetoed by Governor Matthews, being a special order for 10 o'clock, was taken up for consideration.

The question being, Shall the bill pass, notwithstanding the objections of the Governor thereto?

The roll was called.

Those voting in the negative were:

Senators Ball, Bethell, Bobilya, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Goodwine, Hawkins, Hogate, Holler, Horner, Hubbell, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, Leich, McCord, New, Newby, Nusbaum, O'Brien, O'Connor,

Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White, Wood. Total, 45.

None voting in the affirmative.

So the bill failed to pass over the veto of the Governor.

Senator Collett offered the following resolution :

**WHEREAS**, During the session of the Senate, which ends to-day, the press of Indianapolis has taken pains to present to the public accurate and full reports of the proceedings; and

**WHEREAS**, The reports in all the papers, especially the News and the Journal have been clean, free from malice, devoid of personalities, and high class in every respect; therefore, be it

*Resolved*, That the thanks of the Senate are hereby tendered to the reporters of the newspapers of Indianapolis whose duty for the last sixty days has been to report the proceedings of the Senate; and, be it further

*Resolved*, That the Senate acknowledge its obligation to these correspondents, whose work has been done conscientiously and well, and it is the sense of this body that the best wishes are hereby tendered them.

COLLETT.

Which resolution was adopted.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 411, introduced by Senator Nusbaum, has had the same under consideration, and begs leave to report the same back to the Senate, with the statement that it has not had time to properly consider the same.

HUBBELL,  
Chairman.

Senator Goar, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, to which was referred Engrossed House Bill No. 554, introduced by Mr. Patterson of Franklin, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

CHARLES S. GOAR,  
Chairman.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bills Nos. 319, 350, 331, and House Bill No. 46, would report that by reason of the resolution this day adopted said bills are reported with the recommendation that they be indefinitely postponed.

DUNCAN,  
Chairman.

Senator Mull, Chairman of the Committee on Finance, made the following reports:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Resolution No. 47, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that it be indefinitely postponed.

MULL,  
Chairman.

Also:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Engrossed House Bill No. 492, begs leave to return it to the Senate with the statement that the committee has not had time to consider properly its provisions.

MULL,  
Chairman.



Also :

MR. PRESIDENT :

Your Committee on Finance, to which was referred Engrossed House Bill No. 491, begs leave to report the same back to the Senate with the statement that the committee has not had sufficient time to consider properly its provisions.

MULL,  
Chairman.

Which reports were received.

Senator Watson, Chairman of the Committee on Railroads, made the following report :

MR. PRESIDENT :

Your Committee on Railroads, to which was referred Senate Bills Nos. 180 and 179, introduced by Senator Gilbert, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that the further consideration of said bills be indefinitely postponed.

WATSON,  
Chairman.

Which report was received.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred Senate Bill No. 164, has had the same under consideration, and begs leave to report the same back to the Senate with the statement that they have not had time to properly consider the same.

HUBBELL,  
Chairman.

Which report was received.

Senator Collett, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions return to you Senate Bills Nos. 114 and 83 introduced by Senator Shiveley.

M. W. COLLETT,  
Chairman.

Which report was received.

Senators Self and Horner, of the Committee on Enrolled Bills, made the following report:

INDIANAPOLIS, March 8, 1897.

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Senate Bill No. 148, and has compared the same with the engrossed bill, and finds that the same has been properly enrolled.

SELF,  
HORNER.

Which report was received.

Senator New, Chairman of the Committee on the Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

Your Committee on the Affairs of the City of Indianapolis, to which was referred House Bill No. 625, introduced by Mr. Spooner, has had the same under consideration, and begs leave to report the same back to the Senate with no recommendation.

NEW,  
Chairman.

Which report was received.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 72, introduced by Senator Wood, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

O. Z. HUBBELL,  
Chairman.

Which report was received.

Senator Hugg, Chairman of the Committee on Claims and Expenditures, made the following report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to which was referred Senate Bill No. 467, introduced by Senator Newby; also, Senate Bill No. 450, introduced by Senator Hawkins; also, Engrossed House Bill No. 241, introduced by Mr. Hicks, has had the same under consideration, and begs leave to report the same back to the Senate without recommendation.

HUGG,  
Chairman.

Which report was received.

Senator Hubbell, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 30, introduced by Senator Campbell, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

HUBBELL,  
Chairman.

Which report was received.

Senator Watson, Chairman of the Committee on Railroads, made the following report:

MR. PRESIDENT:

Your Committee on Railroads begs leave to report that it has examined House Bill No. 176, and begs leave to report the same back, with the recommendation that said bill be indefinitely postponed.

W. H. WATSON,  
Chairman.

Which report was received.

Senator LaFollette, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bills Nos. 81, 239, 240, 241, 238, 184 and 74, are herewith returned, the subject matter thereof having been incorporated in the House bills passed by the Senate, except as to Senate Bill No. 74, which we recommend shall be indefinitely postponed.

LAFOLLETTE,  
Chairman.

Which report was received.

Senator Houghton, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 452, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

HOUGHTON,  
Chairman.

Which report was received.

Senator O'Brien, Chairman of the Committee on Federal Relations, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations and Rights and Privileges, to which was referred House Bill No. 40, introduced by Mr. Rhodes, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

JAMES O'BRIEN,  
Chairman.

Which report was received.

Senator O'Brien, Chairman of the Committee on Federal Relations, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations, to which was referred House Bill No. 370, introduced by Mr. Packard, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

JAMES O'BRIEN.

Which report was received.

Senator O'Brien, Chairman of the Committee on Federal Relations, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations and Rights and Privileges, to which was referred House Bill No. 324, introduced by Mr. McCrea, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

JAMES O'BRIEN,  
Chairman.

Which report was received.

Senator Phares made the following motion:

MR. PRESIDENT:

I move that the Chairman of the Committee on Finance be requested to prepare a statement of the appropriations of this General Assembly; also a comparison of the same with appropriations of 1895; also a comparison with the probable receipts from the present levies for taxes, and furnish copies of the same to each member of the Senate.

PHARES.

Which motion prevailed.

Senator Wood, Chairman of the Committee on Fees and Salaries, made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries herewith returns the following Senate Bills Nos. 209, 17, 131, 133, 132, 121, 187, 328, 320, 332, 333 and 225, and asks that the same be indefinitely postponed for want of time for consideration.

WOOD,  
Chairman.

Which report was received.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 148, and the same is herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

Also:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has agreed to the report of the Committee of Conference on Senate amendments to Engrossed House Bill No. 608.

B. H. PRATHER,  
Principal Clerk.

Senator Shea made the following motion:

MR. PRESIDENT:

I move that the vote by which the further consideration of all House bills be indefinitely postponed be reconsidered, and that the Senate now take up the consideration of House Bill No. 363.

SHEA.

Which motion was held out of order.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 577, introduced by Mr. Thomas, has had the same under consideration, and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

Which report was received.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bills Nos. 88, 168, 66, 87, 1, 407, 478, 453, 372, 415, 172, 73, 136, 273, has had the same under consideration, and begs leave to report the same back to the Senate with the information that bills covering the same subject matter have been acted upon by the Senate.

L. P. NEWBY,  
Chairman.

Which report was received.

The following message was received from the Governor :

INDIANAPOLIS, Ind., March, 8, 1897.

MR. PRESIDENT :

I herewith return Senate Bill No. 434 without my approval. This bill provides for the re-excavation and reconstruction of an old State ditch, and provides that the same shall be performed by the owners of the land through which this drain passes.

The theory upon which all our public drains are constructed is that the lands benefited should pay the cost. This is certainly just.

The drain to be re excavated, I am informed, is five miles in length. It is, therefore, manifestly unjust to ask the owners of the land through which this drain passes to construct and

maintain a ditch that will also benefit the adjacent lands and afford them a freer outlet for their drainage.

Respectfully,

JAMES A. MOUNT,  
Governor.

Senator Gilbert, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Engrossed House Bill No. 368, introduced by Mr. Titus, has had the same under consideration, and begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

GILBERT,  
Chairman.

Which report was received.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which were referred House Bills Nos. 213, 563, 476, 295, 389, 93, 538, 233, 431, 399, 503, 470, 324, 370, 315, and Senate Bills Nos. 173 and 346, reports that from the time the consideration of the appropriation bill was taken up in the Senate, the members of the committee were unable to hold a meeting, and it therefore reports said bills back to the Senate, without any recommendation, that the Senate may act upon said bills as it may deem best.

L. P. NEWBY,  
Chairman.

The following message was received from the Governor:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 462, an act fixing the time of holding court in the Seventh Judicial Circuit.



Also :

Senate Enrolled Act No. 421 :

An act to amend sections 2, 11, 12, 67 and 77 of an act concerning the incorporation and government of cities having more than 35,000 and less than 49,000, etc., and declaring an emergency.

Also :

Senate Enrolled Act No. 337 :

An act for the better accommodation of the law library of the Supreme Court and declaring an emergency.

Also :

Senate Enrolled Act No. 11 :

A bill for an act amending section 2076 of Burns' Revised Statutes 1894, defining incest and declaring an emergency.

Also :

Senate Enrolled Act No. 334 :

An act relative to bonds and other obligations with surety or sureties, etc., and declaring an emergency, etc.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

Also :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has caused to be deposited with the Secretary of State without his approval, Senate Enrolled Act No. 280, an act relative to the incorporation of the town of Cynthiana and declaring an emergency.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

Read in the Senate at 10:45 p. m., on Monday, March 8, 1897.

Senator Hogate offered Senate Resolution No. 60:

*Resolved*, That the thanks of the Senate are due and hereby tendered to the Principal and Assistant Secretaries and their efficient force of clerks and to the several committee clerks and pages for the ability and fidelity with which they have discharged their duties and the uniform courtesy with which they have treated the members of this body.

HOGATE.

Which resolution was adopted.

Senator New offered Senate Concurrent Resolution No. 11, as follows:

*Resolved by the Senate, the House of Representatives concurring*, That Capt. C. H. O'Brien, an old soldier, is hereby granted the privilege of selling cigars and tobacco in the State House, and the Custodian of the building is hereby instructed to provide a suitable place for the location of his stand and to place Capt. O'Brien in possession of these privileges to the State House.

NEW.

Which resolution was adopted.

Senator Wood offered Senate Resolution No. 61:

*Resolved*, That the Assistant Secretary of the Senate be and the same is hereby instructed to draw his warrant in favor of Miss Allright Merrill in the sum of thirty-five dollars (\$35) in full payment for services as stenographer for the Committee on Fees and Salaries, Banks and Banking, and Corporations.

WOOD

Which resolution was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 25 (original), and the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

## House Concurrent Resolution No. 25:

WHEREAS, There has been many and important laws enacted by this Legislature on the subject of elections; therefore, be it

*Resolved by the House of Representatives, the Senate concurring therein,* That the Secretary of State be directed to cause to be printed through the Commissioners of Public Printing in cheap pamphlet form, copies of said laws enacted by this Legislature, to be distributed to the counties in the same number, time and manner as the Acts of the Legislature are distributed.

PACKARD.

Senator Hogate moved that the Senate concur in House Concurrent Resolution No. 25.

And the motion prevailed.

## MR. PRESIDENT:

I offer the following Concurrent Resolution No. 12, and move its adoption:

WHEREAS, Oliver P. Morton, late Governor of Indiana, was the true and tried friend of every Union soldier of his State, and

WHEREAS, His memory is dear to every ex-Union soldier of Indiana, as well as to every other patriotic citizen of such State. Therefore be it

*Resolved by this Senate, the House of Representatives concurring,* That the Grand Army of the Republic for the Department of Indiana, as an organization, is hereby granted permission to erect and maintain on the State House grounds a monument to the memory of said Oliver P. Morton.

SELF.

Which resolution was adopted.

## Senator Gochenour offered Senate Resolution No. 62:

*Resolved,* That the thanks of the Senate be extended to the Principal Doorkeeper and Assistant Doorkeeper, for their uniform courtesy to the members and the fidelity with which they have individually and collectively discharged their duties.

GOCHENOUR.

Which resolution was adopted.

The Conference Committee, having had House Bill No. 603 and the Senate amendments thereto, made the following report by Senator Mull :

MR. PRESIDENT :

Your Committee on Conference, composed on the part of the Senate of Senators Mull, Hogate and Bobilya, and on the part of the House of Representatives of Messrs. Smith, Harris and Swope, appointed to consider and agree as to certain amendments made by the Senate to Engrossed House Bill No. 603, introduced by Mr. Smith of Tippecanoe, begs leave to submit the following report :

Upon Amendment No. 1 the House accedes.

Upon Amendment No. 2 the House accedes.

Upon Amendment No. 3 the House accedes.

Upon Amendment No. 4 the House accedes.

Upon Amendment No. 5 the Senate recedes.

Upon Amendment No. 6 the House accedes.

Upon Amendment No. 7 the House accedes after amendment by adding after the word "Clerk" the words "and a stenographer."

Upon Amendment No. 8 the House accedes.

Upon Amendment No. 9 the House accedes after amending by striking out the word "five" and substituting therefor the word "three."

Upon amendment No. 10 the Senate recedes after amending by substituting for the words "who shall be a stenographer, seven hundred and twenty dollars" the words "five hundred dollars."

Upon Amendment No. 11 the House accedes after amending by cutting out the words "ninety-three" and substituting therefor the word "ninety."

Upon Amendment No. 12 the House accedes.

Upon Amendment No. 13 the House accedes.

Upon Amendment No. 14 the House accedes after amending to read "three thousand" instead of "five thousand."

Upon Amendment No. 15 the House accedes.

Upon Amendment No. 16 the House accedes.

Upon Amendment No. 17 the House accedes.

Upon Amendment No. 18 the House accedes after amending to read as follows: "To secure the use of a farm and for implements and articles necessary to cultivate the same, five thousand dollars, of which three thousand dollars shall be available when needed during the fiscal year ending October 31, 1898, and two thousand dollars shall be available when needed during the fiscal year ending October 31, 1899."

Upon Amendment No. 19 the House accedes.

Upon Amendment No. 20 the House accedes.

Upon Amendment No. 20½ the House accedes.

Upon Amendment No. 21 the House accedes.

Upon Amendment No. 22 the House accedes.

Upon Amendment No. 23 the House accedes.

Upon Amendment No. 24 the House accedes.

Upon Amendment No. 25 the House accedes after amending by adding before the words "State officer" the word "elective."

Upon Amendment No. 26 the House accedes.

Upon Amendment No. 27 the House accedes.

Upon Amendment No. 28 the House accedes.

Upon Amendment No. 29 the House accedes.

Upon Amendment No. 30 the House accedes.

Upon Amendment No. 31 the House accedes.

Upon Amendment No. 32 the House accedes.

Upon Amendment No. 33 the Senate recedes.

Upon Amendment No. 34 the Senate recedes after amending by striking out the words "two years" and substituting therefor the words "one year."

Upon Amendment No. 35 the House accedes.

Upon Amendment No. 36 the House accedes.

Upon Amendment No. 37 the House accedes.

Upon Amendment No. 38 the House accedes.

Upon Amendment No. 39 the House accedes.

Upon Amendment No. 40 the House accedes.

Upon Amendment No. 41 the House accedes.

Upon Amendment No. 42 the House accedes.

Upon Amendment No. 43 the House accedes.

Upon Amendment No. 44 the House accedes.

The Conference Committee recommends the following additions:

Amendment No. 45. Insert after line 305 in Engrossed House Bill No. 603, as printed by the Senate, the following:

For the purpose of carrying out the objects and purposes of the child labor bill there is hereby appropriated for each, the fiscal year beginning November 1, 1897, and November 1, 1898, the sum of one thousand dollars, said sum to be under the control of the Governor, and to be paid out on his order on sworn itemized statements of the Factory Inspector.

Amendment No 46:

Strike out the word "twelve" in line 29 of the printed bill and insert the word "fifteen," and amend by adding after the word "dollars" in line 30 the following words: "To take effect March 8, 1897."

MULL,  
HOGATE,  
BOBILYA,  
SMITH of Tippecanoe,  
HARRIS of Hamilton,  
ALLEN,  
SWOPE.

Which report was concurred in.

Senator Watson moved that the Chair appoint a committee of three to wait upon Governor Mount and ascertain his desires regarding the further transaction of business by this Senate.

The motion prevailed.

The Lieutenant-Governor appointed Senators Watson, Shiveley and Ellison as the committee.

On motion of Senator Campbell the Senate adjourned.

## MONDAY AFTERNOON.

MARCH 8, 1897.

The Senate reconvened at 2 o'clock P. M., with Lieutenant-Governor Haggard in the chair.

On motion of Senator Houghton, the Senate took a recess until 3 o'clock.

The Senate was called to order at 2:35 P. M., with Lieutenant-Governor Haggard in the chair.

Senator Bobilya made the following motion :

MR. PRESIDENT :

I move you that a rising vote of thanks be tendered the presiding officer of this Senate for his impartial manner in his treatment of members of the body during this session which is now about to adjourn.

BOBILYA.

Which motion prevailed by a unanimous vote.

Senator Gochenour offered Senate Resolution No. 62:

*Resolved*, That the thanks of the Senate be and the same are hereby extended to the Hon. Chas. E. Shiveley, for the able and impartial manner in which he has discharged his duties as President *pro tempore* of the Senate during this session.

GOCHENOUR.

Which resolution was adopted.

The following message was received from the Governor :

INDIANAPOLIS, IND., March 8, 1897.

MR. PRESIDENT :

I herewith return Senate Bill No. 451, without my approval.

This bill seeks to legalize all settlements made by Boards of County Commissioners with County Treasurers between November 22, 1894, and June 22, 1895. The fee and salary law of 1891, under which these County Treasurers were elected and served, is the law by which settlements should be made.

If the constitutionality of the law of 1891 was in question when these settlements were made and the County Commissioners and Treasurers presuming that the Supreme Court would not uphold the law, upon this presumption made settlements, such settlements were made at their peril and should stand or fall by such decision. The Court having upheld the law of 1891, it is manifest that all settlements made under the law of 1879 are unlawful. Money received under a misapprehension of what the law is, should be returned when that misapprehension is removed. If any officer draws too much money by mistake or misapprehension of the law, must it follow as a sequence that, because the mistake was honestly made, therefore he should keep the money? Many thousands of dollars in our State have been paid to County Treasurers in the manner above mentioned. Shall the taxpayers be subjected to this wrong? This bill seeks to establish an unsafe precedent and legalize a vicious principle.

It legalizes settlements based upon the presumption of what the law is instead of upon the law itself.

Respectfully,

JAMES A. MOUNT,  
Governor.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 442:

An act to amend section 9 of an act entitled an act to provide for the incorporation of street railroad companies, etc.

Also :

Senate Enrolled Act No. 65 :

An act defining the regular terms of boards of commissioners, regulating certain duties of boards of commissioners and of county auditors, providing penalties for violations thereof, etc.

Also :

Senate Enrolled Act No. 199 :

An act concerning warehouse receipts, and the issuing, sale and transfer thereof, and the sale of goods, wares and merchandise stored in public or private warehouses, etc.



Also :

Senate Enrolled Act No. 300 :

An act defining public highways established by uses, and providing for the recording thereof.

Also :

Senate Enrolled Act No. 19 :

An act declaring what are partition fences, and providing for the repair and maintenance of such fences.

Also :

Senate Enrolled Act No. 254 :

An act authorizing educational institutions incorporated under the laws of the State of Indiana to admit to membership in its board trustees elected by the alumni of such institution, and declaring an emergency.

Also :

Senate Enrolled Act No. 426 :

An act to amend sections 3 and 4 of an act entitled an act concerning elections, providing a penalty for the violation of the same, etc.

Also :

Senate Enrolled Act No. 251 :

An act to appropriate money to defray the expenses of the commission appointed by the Supreme Court of the United States to establish the boundary line between the State of Indiana and the Commonwealth of Kentucky.

Also :

Senate Enrolled Act No. 471 :

An act to amend section 1 of an act entitled an act for the appointing of probate commissioners by the judges of circuit courts, etc.

Also :

Senate Enrolled Act No. 385 :

An act to fix the salary of the Adjutant-General and Quartermaster-General of the State of Indiana.

Also :

Senate Enrolled Joint Resolution No. 5 to amend section 21 of article 7 of the Constitution of the State of Indiana.

Also :

Senate Enrolled Act No. 154 :

An act to amend an act entitled "An act providing the means of securing the health and safety of persons employed in coal mines, etc.

Also :

Senate Enrolled Act No. 63 :

An act fixing the compensation and fees for services rendered by constables, and repealing all laws in conflict therewith.

All of which have been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

Read in the Senate at 3:05 o'clock P. M., Monday, March 8, 1897.

INDIANAPOLIS, MARCH 8, 1897.

MR. PRESIDENT :

I herewith return Senate Enrolled Act No. 853 without my approval.

This bill seeks to amend section 2597 of the Revised Statutes of 1881. This statute requires the contestor of a will to file an adequate bond for costs. This statute is intended to protect wills that have been admitted to probate from attack by irresponsible persons.

If parties aggrieved by the provisions of any will have just cause for grievance, and the attorneys of such contestors have faith in the justice of the contest, there probably would be little difficulty experienced under existing laws in securing ample provisions for costs.

Testators have legal rights in the making of wills, and the presumption is that such are legally made. Does it not then follow as a just proposition that irresponsible persons should

be required to give bond as evidence of good faith before contesting wills in our courts?

All laws designed to benefit poor persons, whose cause is just, should be approved, but laws which wittingly or unwittingly open the way for irresponsible persons to attack wills, regardless of the merits of the action in the premises, are not deserving of favor.

Respectfully,

JAMES A. MOUNT,  
Governor.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 162, an act to amend section 169 of an act entitled "An act concerning taxation."

Also:

Senate Enrolled Act No. 8:

An act to amend section 126, being section 2031, Revised Statutes of 1881, of an act entitled "An act concerning public offenses and their punishment."

Also:

Senate Enrolled Act No. 309:

An act amending sections 216, 221, 224, 238 and 243 of an act approved April 7, 1881, entitled "An act concerning proceedings in civil cases," etc.

Also:

Senate Enrolled Act No. 441:

An act prescribing the manner in which the evidence in civil or criminal cases may become part of the record upon appeal to the Supreme or Appellate Courts.

Also:

Senate Enrolled Act No. 360:

An act concerning public offenses and their punishment.

Also :

Senate Enrolled Act No. 111 :

An act defining the duties of Township Trustees in the sale of township property.

All of which have been deposited with the Secretary of State.

Respectfully,

CHAS. E. WILSON,  
Private Secretary.

Read in the Senate at 3:05 o'clock P. M. Monday, March 8, 1897.

INDIANAPOLIS, IND., March 8, 1897.

MR. PRESIDENT :

WHEREAS, A vacancy now exists in the Board of Control of the Indiana Reform School for Boys at Plainfield, I therefore nominate George A. H. Shideler, of Grant County, as a proper person to fill such vacancy. This action is taken in accordance with section 8301 of the Revised Statutes, which provides that vacancies in the Board of Control of said Reform School for Boys shall be made by the Governor with the advice and consent of the Senate.

Respectfully,

JAMES A. MOUNT,  
Governor.

To the Honorable President of the Senate.

Senator Shiveley made the following motion :

MR. PRESIDENT :

I move that the Senate approve the nomination of the Hon. Geo. A. H. Shideler as a member of the Board of Control of the Indiana Reform School for Boys at Plainfield.

SHIVELEY.

The motion prevailed.

Senator Wood was called to the chair to preside at 3:05.

Senator Shiveley made the following motion :

MR. PRESIDENT :

I move that the message of the Governor vetoing Senate Bill No. 353 be received, and his objections to said bill be

entered at large upon the Journal of the Senate, and that the Senate do now proceed to the consideration of said Senate Bill No. 353, and that said bill do pass notwithstanding the objections of the Governor.

SHIVELEY.

The motion prevailed.

The question being, Shall the bill pass notwithstanding the objections of the Governor thereto?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Campbell, Drummond, Gilbert, Hubbell, Humphreys, Newby, O'Brien, O'Connor, Wood. Total, 13.

Those voting in the negative were :

Senators Bozeman, Collett, Duncan, Early, Gill, Goar, Gochenour, Hawkins, Hogate, Holler, Houghton, Hugg, Johnson, Johnston, LaFollette, McCord, New, Nusbaum, Patten, Phares, Rinear, Schneck, Self, Shea, Shiveley, Sweeney, Watson, White. Total, 28.

So the bill failed to pass over the veto of the Governor.

The consideration of Senate Bill No. 451, vetoed by Governor Mount, was taken up.

The question being, Shall the bill pass, notwithstanding the objections of the Governor thereto?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Bobilya, Campbell, Drummond, O'Connor, Shea, Stroup, Sweeney, Wood. Total, 9.

Those voting in the negative were :

Senators, Ball, Bethell, Bozeman, Collett, Culbert, Duncan, Early, Gill, Goar, Gochenour, Hawkins, Hogate, Holler, Horner, Houghton, Hubbell, Hugg, Johnson, Johnston, Kerns, LaFollette, McCord, Mull, New, Newby, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Watson, White. Total, 33.

So the bill failed to pass over the Governor's veto.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted Senate Engrossed Concurrent Resolutions Nos. 11 and 12, and the same are herewith returned to the Senate.

B. H. PRATHER,  
Principal Clerk.

The Lieutenant-Governor handed down House Concurrent Resolution No. 27:

House Concurrent Resolution No. 27:

*Be it resolved by the House of Representatives of the State of Indiana, the Senate concurring therein, That the Governor is hereby authorized to appoint, within sixty days, a commission of three competent persons, not more than two of whom shall be of the same political party, to consider and report to the next General Assembly such amendments and revisions as they may deem wise and necessary in the laws of this State governing municipal corporations, including county, civil and school townships, cities and towns, and any other municipal corporations which may exist in this State. Such commission shall receive no compensation except such as may hereafter be allowed by the General Assembly.*

SHIDELER,  
PATTERSON OF FULTON.

The question being, Shall the Senate adopt House Concurrent Resolution No. 27?

Those voting in the affirmative were:

Senators Duncan, McCord, Self, Wood. Total, 4.

Those voting in the negative were:

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Drummond, Early, Gilbert, Gill, Goar, Gochenour, Hawkins, Hogate, Houghton, Hugg, Humphreys, Johnson, Johnston, Kerns, LaFollette, New, Newby, Nusbaum, O'Brien, O'Connor, Patten, Phares, Rinear, Schneck, Shea, Shiveley, Stroup, Sweeney, Watson, White. Total, 37.

So the resolution was not adopted.

A memorial was presented and read in the Senate signed by the Legislative Committee of the National Association of Post-office Clerks, thanking the Senate for the passage of Concurrent Resolution No. 2.

The following message was received from the Governor :

INDIANAPOLIS, IND., March 8, 1897.

*Gentlemen of the Senate :*

I desire to thank you for the courtesy you have shown me, and the kindly feeling you have manifested toward me. In behalf of the people of our State I commend your faithful service. Your acts as legislators are your encomium. Your deeds merit the approval of your consciences, and the benedictions of a grateful people should be showered upon you in thankful acknowledgement of duties well performed.

Respectfully,

JAS. A. MOUNT,  
Governor.

House Concurrent Resolution No. 20 was read.

The question being, Shall House Concurrent Resolution No. 20 be adopted ?

The roll was called.

Those voting in the affirmative were :

Senators Alexander, Ball, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Drummond, Duncan, Early, Ellison, Gilbert, Gill, Goar, Gochenour, Gostlin, Hawkins, Hogate, Holler, Houghton, Hubbell, Hugg, Johnson of Madison, Kerns, La-Follette, McCord, New, Newby, Patten, Rinear, Self, Shiveley, Stroup, White, Wood. Total, 86.

Senators Johnston of Dearborn and Sweeney voting in the negative.

So the resolution was adopted.

The following message was received from the Governor:

INDIANAPOLIS, IND., March 8, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has caused Senate Enrolled Act No. 405, an act legalizing the incorporation of the town of Wolcott, White County, to be deposited with the Secretary of State, without his approval.

Respectfully,

CHARLES E. WILSON,  
Private Secretary.

Read in the Senate at 4:20 o'clock p. m., Monday, March 8, 1897.

The following message was received from the Governor:

INDIANAPOLIS, March 8, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 342, an act to amend sections 5 and 9 of an act entitled "An act to establish a Superior Court for the counties of Lake, Porter and LaPorte, defining its authority and jurisdiction," etc.

Also:

Senate Enrolled Act No. 266. An act to amend section 35 of an act for the relief of the poor, etc.

Also:

Senate Enrolled Act No. 260. An act to repeal section 11 of an act prohibiting the obstructions of ditches or drains.

Also:

Senate Enrolled Act No. 120. An act concerning the manner of procedure in the trial of certain felonies, prescribing the punishment, etc.

Also:

Senate Enrolled Act No. 39. An act providing for the maintenance of levies and flood-gates when constructed under specified conditions.



Also :

Senate Enrolled Act No. 458. An act to amend section one of an act entitled an act to amend section one of an act concerning voluntary assignments, etc.

Also :

Senate Enrolled Act No. 119. An act to prevent the keeping or confinement as a prisoner in either of the penitentiaries or prisons of this State, of persons sentenced thereto by the courts of the United States.

Also :

Senate Enrolled Act No. 90. An act providing for the survival of claims for personal injuries when appeal is taken from a judgment of the trial court.

Respectfully,

CHAS. E. WILSON,

Private Secretary.

Read in the Senate at 4:20 o'clock P. M., Monday March 8, 1897.

Senator Gilbert offered Senate Resolution No. 62 :

MR. PRESIDENT :

I offer the following resolution :

WHEREAS, The last resting place of at least one deceased ex-Governor of the State of Indiana is unmarked by any monument or headstone ; and

WHEREAS, It is a disgrace to Indiana, that the memory of one who has served the State as Chief Executive should not be perpetuated by a monument of some character ; therefore, be it

*Resolved*, That a committee of three hold-over Senators be appointed to examine into the facts and circumstances in relation to the burial place of each of Indiana's deceased ex-Governors, and report at the next session of the Senate, with such recommendation as it may desire to make in relation thereto.

GILBERT.

Which resolution was adopted.

And the Chair appointed as members of the Commission, Senators Gilbert, Shea and Hawkins.

Lieutenant-Governor Haggard appointed Senators Hugg, Drummond and Gilbert, and Assistant Secretary James W. Egnew, as the members of the commission to investigate the advisability of having the Journal work of the future General Assemblies done by stenographers and typewriters.

The Lieutenant-Governor appointed Senators Hawkins, Sweeney and Newby a committee to wait upon the House of Representatives and ascertain the wishes of the House regarding the time of adjournment of the General Assembly.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills begs leave to report that it has examined Enrolled Concurrent Resolutions Nos. 11 and 12, and has compared the same with the engrossed resolutions, and find that said resolutions have been properly enrolled.

M. W. COLLETT.

Which report was concurred in.

Senator Shiveley moved that the gavel used by the Lieutenant-Governor during the present session of the Legislature be presented to him by the Senate.

The motion prevailed.

The Lieutenant-Governor then announced that he would accept the gavel, and would present it to the Sycamore Literary Society, of Topeka, Lagrange County, Indiana, in recognition of their meritorious literary services in Lagrange County.

The Senate adjourned, on motion of Senator Gilbert, to meet at 7:30 this evening.

## MONDAY EVENING.

JANUARY 8, 1897.

The Senate reconvened at 7:30 p. m., with Lieutenant Governor Haggard in the chair.

Senator Hawkins moved that a committee be appointed by the Chair to wait upon the House and ascertain their further pleasure regarding the adjournment of the session.

The motion prevailed and the Lieutenant-Governor named Senators Hawkins, Gostlin and Alexander as the committee, with instructions to report at once.

Shortly afterward the committee reported that the House was about ready to adjourn.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed House Enrolled Act No. 603 and House Concurrent Resolution No. 20, and the same is herewith transmitted to the Senate.

B. H. PRATHER,  
Principal Clerk.

The following message was received from the Governor:

MR. PRESIDENT:

I herewith return Senate Bill No. 434 without my approval. This bill provides for the re-excavation and reconstruction of an old State ditch, and provides that the same shall be performed by the owners of the land through which this drain passes. The theory upon which all our public drains are constructed is that the lands benefited shall pay the cost. This is certainly just.

The drain to be re-excavated, I am informed, is five miles in length. It is, therefore, manifestly unjust to ask the owners

of the land through which this drain passes to construct and maintain that which will also benefit the adjacent lands and afford them a freer outlet for their drainage.

Respectfully,

JAMES A. MOUNT,  
Governor.

Also :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 311 :

An act concerning the sessions of county commissioners in counties having not less than 125,000 inhabitants.

Also :

Senate Enrolled Act No. 390 :

An act to amend section 10 of an act entitled an act for the prevention of frauds and perjuries.

Also :

Senate Enrolled Act No. 148 :

An act prescribing certain duties of township trustees, providing for the appointment and compensation of an auditing board, etc.

Also :

Senate Enrolled Act No. 207 :

An act concerning deeds executed upon illegal or invalid tax sales.

All of which have been deposited with the Secretary of State.

Respectfully,

CHARLES E. WILSON.

Also :

INDIANAPOLIS, March 8, 1897.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Act No. 401 :

An act to provide for the better government, control and general supervision of the State Prison at Michigan City.

Also :

Senate Enrolled Act No. 357 :

An act entitled an act on the subject of, and relating to, railroad crossings.

Also :

Senate Enrolled Concurrent Resolution No. 12:

Granting permission to the Grand Army of the Republic to erect and maintain on the State House grounds a monument to the memory of Oliver P. Morton.

Also :

Senate Enrolled Joint Resolution No. 4:

Amending section 2 of article 7 of the State Constitution.

Respectfully,

CHAS. E. WILSON,

Private Secretary.

Read in the Senate at 7:45 o'clock p. m., Monday, March 8, 1897.

Also :

INDIANAPOLIS, IND., March 8, 1897.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has no further communications to make to your honorable body.

Respectfully,

CHARLES E. WILSON,

Private Secretary.

To the Honorable President of the Senate.

Senator Bobilya moved that the message of the Governor vetoing Senate Bill No. 434 be spread of record at large on the Journal of the Senate, and that the Senate proceed to the consideration of the bill.

The question being, Shall the bill pass, notwithstanding the objections of the Governor thereto?

The roll was called.

Those voting in the affirmative were :

Senators Drummond, Horner, Kerns, Nusbaum, Shea.  
Total, 5.

Those voting in the negative were :

Senators Alexander, Bethell, Bobilya, Bozeman, Campbell, Collett, Culbert, Gochenour, Hawkins, Hogate, Houghton, Hubbell, Hugg, Humphreys, Johnson, Johnston, LaFollette, Leich, McCord, Mull, New, Newby, O'Brien, Patten, Phares, Rinear, Self, Shiveley, Stroup, Sweeney, Watson, White, Wood.  
Total, 33.

So the bill failed to pass over the Governor's veto.

*To the Senate:*

In obedience to the law the undersigned submits a detailed report of the warrants drawn by him during the session in favor of members, officers and employes, showing the number of warrants drawn, the amount of each warrant and to whom payable; also the number of warrants drawn and to whom payable, as per Senate resolutions.

**FRANCIS M. ALEXANDER—**

January 21, warrant No. 101, mileage.....	\$48 00
January 21, warrant No. 102, per diem .....	90 00
January 29, warrant No. 184, per diem.....	48 00
February 12, warrant No. 294, per diem.....	84 00
February 26, warrant No. 426, per diem.....	84 00
March 6, warrant No. 501, per diem.....	60 00
Total .....	<u>\$414 00</u>

**WILLIAM J. BETHELL—**

January 14, warrant No. 7, mileage.....	\$60 00
January 14, warrant No. 8, per diem.....	48 00
January 29, warrant No. 185, per diem.....	90 00
February 12, warrant No. 295, per diem.....	84 00
March 6, warrant No. 502, per diem .....	144 00
Total .....	<u>\$426 00</u>

## WALTER L. BALL—

January 15, warrant No. 49, mileage.....	\$21 20
January 29, warrant No. 181, per diem.....	84 00
January 29, warrant No. 189, per diem.....	54 00
February 12, warrant No. 296, per diem.....	84 00
March 6, warrant No. 503, per diem .....	144 00
Total .....	<u>\$387 20</u>

## LOUIS J. BOBILYA—

January 15, warrant No. 14, mileage.....	\$54 80
January 21, warrant No. 103, per diem.....	90 00
February 5, warrant No. 233, per diem.....	90 00
February 12, warrant No. 357, per diem .....	84 00
March 3, warrant No. 500, per diem .....	72 00
March 6, warrant No. 563, per diem .....	52 00
Total .....	<u>\$442 80</u>

## VIRGIL P. BOZEMAN—

January 19, warrant No. 97, mileage .....	\$74 00
February 2, warrant No. 226, per diem.....	100 00
February 19, warrant No. 358, per diem .....	50 00
February 26, warrant No. 427, per diem .....	50 00
March 6, warrant No. 505, per diem .....	166 00
Total.....	<u>\$440 00</u>

## JAMES A. CAMPBELL—

January 15, warrant No. 50, mileage .....	\$21 20
January 15, warrant No. 51, per diem .....	54 00
January 28, warrant No. 167, per diem.....	78 00
February 5, warrant No. 234, per diem .....	48 00
February 15, warrant No. 351, per diem.....	50 00
February 26, warrant No. 428, per diem .....	76 00
March 6, warrant No. 506, per diem .....	60 00
Total .....	<u>\$387 20</u>

**MARCUS W. COLLETT—**

January 15, warrant No. 15, mileage.....	\$30 00
January 21, warrant No. 104, per diem.....	90 00
February 5, warrant No. 235, per diem .....	90 00
February 19, warrant No. 384, per diem.....	64 00
February 26, warrant No. 429, per diem .....	42 00
March 6, warrant No. 507, per diem.....	60 00
March 6, warrant No. 562, per diem .....	20 00
Total.....	<u>\$396 00</u>

**CHARLES P. DRUMMOND—**

January 15, warrant No. 16, mileage.....	\$50 40
January 21, warrant No. 105, per diem .....	90 00
January 28, warrant No. 170, per diem.....	42 09
February 5, warrant No. 236, per diem .....	48 00
February 12, warrant No. 298, per diem .....	42 00
February 19, warrant No. 359, per diem.....	42 00
February 26, warrant No. 431, per diem.....	42 00
March 6, warrant No. 508, per diem .....	60 00
Total.....	<u>\$416 40</u>

**HENRY CLAY DUNCAN—**

February 26, warrant No. 433, mileage .....	\$32 40
February 26, warrant No. 432, per diem.....	306 00
March 6, warrant No. 509, per diem .....	60 00
Total .....	<u>\$398 40</u>

**JACOB D. EARLY—**

January 15, warrant No. 17, mileage .....	\$29 20
January 15, warrant No. 18, per diem .....	54 00
January 28, warrant No. 162, per diem .....	78 00
February 5, warrant No. 237, per diem .....	48 00
February 12, warrant No. 299, per diem.....	42 00
February 19, warrant No. 360, per diem .....	42 00
February 26, warrant No. 434, per diem .....	42 00
March 6, warrant No. 510, per diem .....	60 00
Total .....	<u>\$395 20</u>



## THOMAS EMMETT ELLISON—

January 19, warrant No. 92, mileage.....	\$54 80
January 19, warrant No. 93, per diem .....	78 00
February 3, warrant No. 228, per diem.....	90 00
February 15, warrant No. 354, per diem .....	15 00
March 6, warrant No. 511, per diem .....	183 00
Total .....	<u>\$421 80</u>

## JOSEPH C. GOCHENOUR—

March 1, warrant No. 464, mileage .....	\$36 80
March 1, warrant No. 465, per diem .....	324 00
March 6, warrant No. 512, per diem .....	42 00
Total .....	<u>\$402 80</u>

## NEWTON W. GILBERT—

January 15, warrant No. 79, mileage.....	\$79 20
January 21, warrant No. 106, per diem.....	90 00
February 5, warrant No. 238, per diem.....	90 00
March 6, warrant No. 513, per diem .....	186 00
Total .....	<u>\$445 20</u>

## WILLIAM B. GILL—

January 15, warrant No. 63, mileage.....	\$16 00
January 15, warrant No. 64, per diem.....	54 00
January 28, warrant No. 166, per diem.....	78 00
February 12, warrant No. 300, per diem.....	75 00
March 6, warrant No. 514, per diem .....	159 00
Total .....	<u>\$382 00</u>

## C. S. GOAR—

January 16, warrant No. 81, mileage.....	\$18 40
January 16, warrant No. 80, per diem.....	54 00
February 2, warrant No. 227, per diem.....	100 00
March 1, warrant No. 492, per diem .....	170 00
March 6, warrant No. 515, per diem .....	42 00
Total .....	<u>\$384 40</u>

**FREMONT GOODWINE—**

January 28, warrant No. 157, mileage.....	\$34 40
February 12, warrant No. 301, per diem.....	200 00
March 6, warrant No. 516, per diem .....	166 00
Total .....	<u>\$400 40</u>

**W. H. GOSTLIN—**

January 15, warrant No. 19, mileage.....	\$62 00
January 15, warrant No. 20, per diem.....	54 00
January 28, warrant No. 156, per diem.....	78 00
February 19, warrant No. 361, per diem.....	132 00
February 26, warrant No. 485, per diem.....	42 00
March 6, warrant No. 517, per diem .....	60 00
Total .....	<u>\$428 00</u>

**FRANK A. HORNER—**

January 15, warrant No. 62, mileage.....	\$28 60
January 28, warrant No. 165, per diem.....	132 00
February 26, warrant No. 436, per diem.....	174 00
March 6, warrant No. 518, per diem .....	60 00
Total .....	<u>\$389 60</u>

**H. Q. HOUGHTON—**

January 15, warrant No. 71, mileage.....	\$49 60
January 25, warrant No. 144, per diem.....	50 00
February 5, warrant No. 240, per diem.....	66 00
February 26, warrant No. 437, per diem.....	40 00
March 6, warrant No. 519, per diem .....	210 00
Total .....	<u>\$415 60</u>

**ENOCH G. HOGATE—**

January 15, warrant No. 21, mileage.....	\$8 00
January 15, warrant No. 22, per diem.....	54 00
January 22, warrant No. 117, per diem.....	42 00
January 28, warrant No. 158, per diem.....	36 00
February 5, warrant No. 289, per diem.....	48 00
February 12, warrant No. 302, per diem.....	42 00
February 19, warrant No. 387, per diem.....	48 00
February 26, warrant No. 425, per diem .....	36 00
March 6, warrant No. 520, per diem .....	60 00
Total .....	<u>\$374 00</u>

**CHRISTIAN HOLLER—**

January 15, warrant No. 28, mileage.....	\$65 60
February 12, warrant No. 308, per diem.....	30 00
March 6, warrant No. 521, per diem .....	336 00
Total .....	<u>\$431 60</u>

**ANDREW HUMPHREYS—**

January 14, warrant No. 10, mileage.....	\$34 40
January 28, warrant No. 176, per diem.....	84 00
March 6, warrant No. 522, per diem .....	282 00
Total .....	<u>\$400 40</u>

**O. Z. HUBBELL—**

February 26, warrant No. 439, mileage.....	\$64 00
February 26, warrant No. 438, per diem.....	306 00
March 6, warrant No. 523, per diem .....	60 00
Total .....	<u>\$430 00</u>

**R. O. HAWKINS—**

January 19, to warrant No. 95, per diem .....	\$78 00
January 28, to warrant No. 159, per diem.....	54 00
February 5, to warrant No. 241, per diem.....	48 00
February 19, to warrant No. 362, per diem .....	84 00
February 26, to warrant No. 440, per diem .....	42 00
March 6, to warrant No. 524, per diem.....	60 00
Total .....	<u>\$366 00</u>

**MARTIN M. HUGG—**

January 19, warrant No. 94, per diem.....	\$78 00
January 27, warrant No. 154, per diem.....	48 00
February 9, warrant No. 284, per diem.....	78 00
February 19, warrant No. 363, per diem.....	60 00
March 6, warrant No. 528, per diem .....	102 00
<b>Total .....</b>	<b>\$366 00</b>

**LAFAYETTE JOHNSON—**

January 15, warrant No. 24, mileage.....	\$14 40
January 15, warrant No. 25, per diem.....	54 00
January 28, warrant No. 161, per diem.....	78 00
February 26, warrant No. 441, per diem .....	164 00
March 6, warrant No. 580, per diem .....	70 00
<b>Total .....</b>	<b>\$380 40</b>

**COLUMBUS JOHNSTON—**

January 12, warrant No. 2, per diem.....	\$30 00
January 21, warrant No. 107, per diem.....	90 00
March 6, warrant No. 531, per diem .....	246 00
March 6, warrant No. 532, mileage.....	40 80
<b>Total .....</b>	<b>\$406 80</b>

**WILLIAM F. KERNS—**

January 7, warrant No. 112, mileage .....	\$31 60
March 6, warrant No. 533, per diem .....	366 00
<b>Total .....</b>	<b>\$397 60</b>

**JESSE J. M. LAFOLLETTE—**

January 15, warrant No. 26, mileage.....	\$40 00
January 21, warrant No. 108, per diem.....	90 00
February 12, warrant No. 304, per diem.....	50 00
March 6, warrant No. 534, per diem .....	226 00
<b>Total .....</b>	<b>\$406 00</b>

## AUGUST LEICH—

January 15, warrant No. 27, mileage.....	\$72 80
March 6, warrant No. 535, per diem .....	366 00
Total .....	<u>\$438 80</u>

## THOMAS K. MULL—

January 28, warrant No. 160, mileage.....	\$14 00
February 24, warrant No. 423, per diem.....	250 00
March 6, warrant No. 536, per diem .....	116 00
Total .....	<u>\$380 00</u>

## W. E. McCORD—

January 11, warrant No. 1, per diem ....	\$25 00
January 15, warrant No. 72, mileage.....	12 40
January 21, warrant No. 109, per diem.....	65 00
February 5, warrant No. 242, per diem.....	50 00
February 11, warrant No. 291, per diem....	90 00
February 15, warrant No. 326, per diem.....	10 00
February 22, warrant No. 391, per diem.....	40 00
March 6, warrant No. 537, per diem .....	86 00
Total .....	<u>\$378 40</u>

## WILLIAM H. NUSBAUM—

March 6, warrant No. 538, per diem .....	\$366 00
March 6, warrant No. 539, mileage ..	70 40
Total .....	<u>\$436 40</u>

## LEONIDAS P. NEWBY—

March 1, warrant No. 493, per diem .....	\$200 00
March 6, warrant No. 540, per diem .....	166 00
March 6, warrant No. 541, mileage .....	14 00
Total .....	<u>\$380 00</u>

**HARRY S. NEW—**

January 19, warrant No. 91, per diem .....	\$78 00
January 29, warrant No. 186, per diem.....	60 00
February 19, warrant No. 364, per diem .....	126 00
March 6, warrant No. 542, per diem ... ..	102 00
<b>Total.....</b>	<b>\$366 00</b>

**THOMAS W. O'CONNOR—**

January 15, warrant No. 28, mileage.....	\$34 00
January 15, warrant No. 29, per diem.....	54 00
January 28, warrant No. 168, per diem.....	78 00
February 12, warrant No. 306, per diem.....	90 00
February 19, warrant No. 365, per diem.....	42 00
February 26, warrant No. 442, per diem.....	42 00
March 6, warrant No. 543, per diem .....	50 00
March 6, warrant No. 614, per diem .....	10 00
<b>Total.....</b>	<b>\$400 00</b>

**JAMES O'BRIEN—**

January 15, warrant No. 30, mileage .....	\$22 00
January 15, warrant No. 31, per diem.....	54 00
January 29, warrant No. 164, per diem.....	78 00
February 12, warrant No. 305, per diem.....	90 00
February 19, warrant No. 366, per diem.....	42 00
March 6, warrant No. 544, per diem .....	102 00
<b>Total.....</b>	<b>\$388 00</b>

**W. E. PATTEN—**

January 21, warrant No. 110, per diem.....	\$90 00
February 12, warrant No. 307, per diem.....	132 00
February 12, warrant No. 308, mileage.....	42 00
February 26, warrant No. 443, per diem.....	84 00
March 6, warrant No. 545, per diem .....	60 00
March 6, warrant No. 611, additional mileage.....	23 00
<b>Total.....</b>	<b>\$431 00</b>

## ISAAC H. PHARES—

January 15, warrant No. 76, mileage.....	\$37 60
January 25, warrant No. 136, per diem.....	30 00
February 1, warrant No. 199, per diem.....	20 00
February 5, warrant No. 248, per diem.....	24 00
February 5, warrant No. 251, per diem.....	36 00
February 8, warrant No. 275, per diem.....	25 00
February 11, warrant No. 287, per diem.....	25 00
February 15, warrant No. 347, per diem.....	10 00
February 18, warrant No. 358, per diem.....	25 00
February 23, warrant No. 415, per diem.....	15 00
February 27, warrant No. 454, per diem..	15 00
March 6, warrant No. 546, per diem .....	141 00
Total.....	<u>\$408 60</u>

## JOHN W. RINEAR—

January 28, warrant No. 174, mileage.....	\$44 00
February 12, warrant No. 309, per diem.....	66 00
March 6, warrant No. 547, per diem .....	300 00
Total .....	<u>\$410 00</u>

## G. W. ROGERS—

January 15, warrant No. 32, mileage.....	\$44 00
January 19, warrant No. 96, mileage.....	16 00
January 21, warrant No. 111, per diem.....	90 00
January 29, warrant No. 188, per diem.....	42 00
Total.....	<u>\$192 00</u>

## URIAH CULBERT—

February 5, warrant No. 253, per diem.....	\$30 00
February 12, warrant No. 297, per diem.....	25 00
February 19, warrant No. 388, per diem.....	125 00
February 26, warrant No. 444, mileage.....	60 00
February 26, warrant No. 445, per diem.....	126 00
March 6, warrant No. 550, per diem .....	60 00
Total .....	<u>\$426 00</u>

**CHARLES E. SHIVELEY—**

March 6, warrant No. 551, per diem .....	\$366 00
March 6, warrant No. 552, mileage .....	28 00
Total .....	<u>\$394 00</u>

**LOUIS SCHNECK—**

January 15, warrant No. 57, mileage.....	\$24 00
March 6, warrant No. 553, per diem .....	366 00
Total .....	<u>\$390 00</u>

**JOSEPH H. SHEA—**

January 28, warrant No. 171, per diem.....	\$182 00
January 28, warrant No. 172, mileage.....	32 00
February 12, warrant No. 810, per diem.....	90 00
February 26, warrant No. 446, per diem.....	84 00
March 6, warrant No. 554, per diem .....	60 00
Total .....	<u>\$398 00</u>

**EVERETT E. STROUP—**

January 28, warrant No. 169, per diem .....	\$182 00
January 28, warrant No. 170, mileage.....	10 80
February 19, warrant No. 367, per diem.....	50 00
March 6, warrant No. 555, per diem.....	184 00
Total .....	<u>\$876 80</u>

**GEORGE W. SELF—**

January 29, warrant No. 191, mileage.....	\$54 00
February 19, warrant No. 368, per diem.....	75 00
February 26, warrant No. 452, per diem.....	76 00
March 6, warrant No. 556, per diem .....	215 00
Total .....	<u>\$420 00</u>



**M. A. SWEENEY—**

January 14, warrant No. 6, mileage.....	\$82 00
January 19, warrant No. 98, per diem.....	15 00
February 3, warrant No. 229, per diem.....	90 00
February 5, warrant No. 244, per diem.....	15 00
February 12, warrant No. 315, per diem.....	102 00
February 19, warrant No. 369, per diem.....	42 00
February 26, warrant No. 447, per diem.....	42 00
March 6, warrant No. 529, per diem .....	60 00
Total .....	<u>\$448 00</u>

**WARD H. WATSON—**

March 6, warrant No. 557, mileage .....	\$48 80
March 6, warrant No. 558, per diem .....	366 00
Total .....	<u>\$414 80</u>

**JOHN T. WHITE—**

January 15, warrant No. 33, mileage.....	\$94 40
February 11, warrant No. 289, per diem.....	216 00
March 6, warrant No. 559, per diem.....	150 00
Total .....	<u>\$460 40</u>

**WILL. R. WOOD—**

January 15, warrant No. 34, mileage .....	\$25 60
January 15, warrant No. 35, per diem .....	54 00
January 28, warrant No. 78, per diem .....	78 00
February 26, warrant No. 448, per diem.....	174 00
March 6, warrant No. 560, per diem .....	60 00
Total .....	<u>\$391 60</u>

**MORTIMER NYE—Retiring Lieutenant-Governor—**

January 13, warrant No. 3, mileage.....	\$60 00
January 13, warrant No. 4, 5 days .....	40 00
Total .....	<u>\$100 00</u>

## WILLIAM S. HAGGARD—Lieutenant-Governor—

January 14, warrant No. 11, mileage.....	\$26 00
January 26, warrant No. 151, per diem.....	128 00
February 26, warrant No. 451, per diem.....	280 00
March 6, warrant No. 567, per diem.....	88 00
Total .....	<hr/> \$522 00
Per diem of Charles R. Lane, Principal Secretary...	\$366 00
Per diem of James W. Egnaw, Assistant Secretary.	366 00
Per diem of Clamor Pelzer, Doorkeeper.....	366 00
Per diem of employes of Principal Secretary .....	4,270 00
Per diem of employes of Assistant Secretary .....	2,110 00
Per diem of employes of Doorkeeper.....	2,665 00
Per diem of Janitors.....	553 00
Per diem, extra pay, Janitors' Resolution No. 53....	197 00
Per diem, extra pay, Committee Clerks.....	2,450 00
Per diem, extra pay, Committee Clerks' Resolution No. 61.....	35 00
Per diem of Pages.....	754 00
Extra to Principal Secretary for indexing acts, etc., warrants Nos. 419, 421 and 525 .....	450 00
Extra to Principal Secretary for completing Calen- dar, No. 525.....	25 00
Extra to Assistant Secretary for indexing, proof- reading, etc., warrant No. 496.....	500 00
Extra to Assistant Secretary for completing Journals, etc., warrant No. 430.....	205 00
Expense election contest, Culbert vs. Rogers, war- rants Nos. 5, 548, 549, 617, 618, 619, 620.....	300 00
Expense Prison Committee, warrants Nos. 293 and 153.....	75 75
Expense Committee on Benevolent Institutions, warrants Nos. 292 and 155.....	187 50
Allowance by Senate Resolution No. 41, warrants Nos. 388, 389, 390.....	249 75
Allowance by Senate Resolution No. 58, warrant No. 615.....	2 25
Allowance by Senate Resolution No. 27, warrant No. 231 .....	22 50

Allowance by Senate Resolution No. 47, warrant No. 499.....	\$58 62
Allowance by Senate Resolution No. 19, warrant No. 86.....	25 00
Allowance by Senate Resolution No. 19, warrant No. 87.....	50 00
For purchase of safe, Resolution No. —, warrant No. 355.....	125 00
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Aggregate amount of all warrants issued.....	\$37,971 72

The number of warrants, the specified amounts thereof, and to whom payable, are set forth upon the accompanying ledger, kept by the Assistant Secretary of the Senate, and filed herewith with the Secretary of State.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

The Committee on the Inspection of the Journal made the following report:

MR. PRESIDENT:

Your Committee appointed on Inspection of the Journal, reports that it has examined the same and finds it correct.

WALTER L. BALL,  
Chairman.

The hour of 9 o'clock p. m. having arrived, there being no further communications to receive from the Governor or the House of Representatives, upon motion of Senator Andrew Humphreys, Lieutenant-Governor Haggard declared the Senate of the Sixtieth General Assembly of Indiana adjourned *sine die*.

W. S. HAGGARD,  
Lieutenant-Governor and President of the Senate.

JAMES W. EGNEW,  
Assistant Secretary of the Senate.

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# APPENDIX.

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Sixtieth General Assembly of Indiana.

REGULAR SESSION.

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# SENATE CALENDAR

OF ALL

BILLS AND JOINT RESOLUTIONS

PENDING IN THE SENATE

ON

Monday, March 8, 1897.

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INDIANAPOLIS.

WM. B. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING,  
1897.

## OFFICERS OF SENATE.

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**Lieutenant-Governor and President,**  
**WM. S. HAGGARD.**

**President Pro Tem.,**  
**CHAS. E. SHIVELEY.**

**Principal Secretary,**  
**CHAS. R. LANE.**

**Assistant Secretary,**  
**JAMES W. EGNEW.**

<b>Doorkeepers,</b>	
<b>C. PELZER,</b> <i>Head Doorkeeper.</i>	<b>J. P. RUNYAN,</b> <i>1st Assistant.</i>
<b>D. L. METZKER,</b>	<b>J. C. OVERELL,</b>
<b>W. C. BARNETT,</b>	<b>J. W. LONGWELL,</b>
<b>W. B. CRUM,</b>	<b>H. L. BARRETT.</b>
<b>T. C. POWELL.</b>	

**Reading Clerk,**  
**MCDONALD HUFF.**

**Chief Engrossing Clerk,**  
**OLIVER T. PARKER.**

**File Clerk,**  
**WILL C. CONVERSE.**

**Registry Clerk,**  
**ROBERT L. HAYMAN.**

**Endorsing Clerk,**  
**WALTER H. EVANS.**

**Roll Clerk,**  
**GEORGE A. DEEM.**

**Engrossing Clerks,**  
**GEORGE Z. WOOD,           GEORGE H. STIEGELMEYER,**  
**JOHN W. MITCHELL,       EDW. E. NORMAN,**  
**JAMES H. AGNEW,         DEWITT KERNS.**

**Enrolling Clerks,**  
**W. H. H. ROCK,**  
**THOS. J. FORSHEE.**

**Minute Clerk,**  
**MARTIN A. QUINN.**

**Principal Journal Clerk,**  
**HARMAN L. HUTSON.**

**Assistant Journal Clerk,**  
**ALBERT E. NEEDHAM.**

**Copying Clerks,**  
**WM. B. FOLEY,           C. A. WILLIAMS,**  
**ELMER E. JAMES,        A. P. DEBRULER.**

**Postmaster Senate,**  
**GEO. SOMARINDYCK.**



## **SENATE STANDING COMMITTEES.**

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### **GROUP I, ROOM 108.**

#### **On Finance.**

**Senators Mull, Hogate, Holler, Self, Leich, Bobilya, Rinear.**

#### **Cities and Towns.**

**Senators Houghton, Ball, Johnson, McCord, Duncan, Bobilya, Stroup.**

#### **On City of Indianapolis.**

**Senators New, Hugg, Hawkins, Gostlin, Watson, Rinear, Humphreys.**

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### **GROUP II, ROOM 122.**

#### **On Fees and Salaries.**

**Senators Wood, Duncan, O'Brien, Gilbert, Hubbell, Johnson, Hawkins, Hogate, Leich, Campbell, Stroup, Johnston, Sweeney.**

#### **On Banks.**

**Senators Bozeman, Mull, Schneck, Leich, Goodwine, Bobilya, Rinear.**

#### **On Corporations.**

**Senators Hubbell, McCord, Wood, Hawkins, Houghton, Drummond, Sweeney.**

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### **GROUP III, ROOM 77.**

#### **On Judiciary.**

**Senators Newby, Hubbell, Shively, Wood, Early, Watson, Houghton, Ellison, Drummond, LaFollette, Shea.**

#### **On Organization of Courts.**

**Senators Shively, LaFollette, Ball, Hawkins, O'Brien, Alexander, Shea.**

## GROUP IV, ROOM 121.

### **On Benevolent Institutions.**

Senators Collett, White, Shively, Wood, Gochenour, Rinear, Ellison.

### **On Prisons.**

Senators Holler, Duncan, Watson, Early, New, Ellison, Shea.

### **On Claims and Expenditures.**

Senators Hugg, Gilbert, Phares, Watson, Mull, Shea, Humphreys.

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## GROUP V, ROOM 119.

### **On Education.**

Senators Duncan, Hubbell, Goodwine, Houghton, Early, Shea, Horner.

### **On County and Township Business.**

Senators Gilbert, O'Brien, New, Duncan, Gochenour, Shea, Rinear.

### **On Public Health, Vital and Other Statistics.**

Senators Goar, White, Bethell, Goodwine, Gochenour, Nusbaum, Gill.

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## GROUP VI, ROOM 120.

### **On Railroads.**

Senators Watson, Early, Houghton, Wood, Hubbell, Rinear, Nusbaum.

### **On Insurance.**

Senators LaFollette, McCord, Self, Wood, Duncan, Shea, Nusbaum.

### **On Roads.**

Senators Schneck, Holler, Bozeman, O'Brien, Alexander, Shea.

### **On Public Printing.**

Senators Phares, Self, Hogate, Hawkins, Hubbell, Sweeney, Johnston.

### **On Agriculture.**

Senators Kerns, Holler, Schneck, Gill, Collett, Patten.

## GROUP VII, ROOM 122.

### **Mines, Mining and Manufactures.**

Senators McCord, Schneck, Duncan, Ball, Hugg, Sweeney, Humphreys.

### **Labor and Labor Statistics.**

Senators Bethell, Schneck, Ball, Goar, Goodwine, Gill, Johnston.

### **On Natural Gas.**

Senators Johnson, Ball, LaFollette, Newby, Goar, Gill, Campbell.

### **On Elections.**

Senators Gostlin, Newby, Hawkins, Early, Wood, Humphreys, Johnston.

### **On Phraseology and Arrangement of Bills and Unfinished Business.**

Senators Ball, Hogate, McCord, Hubbell, Hugg, Stroup, Drummond.

## GROUP VIII, ROOM 112.

### **Building and Loan.**

Senators LaFollette, McCord, Duncan, Ball, Hubbell, O'Connor, Sweeney.

### **On Public Buildings and Library.**

Senators Self, McCord, O'Brien, Gostlin, Newby, Hawkins, Hogate, Wood, Humphreys, Johnston.

### **On Federal Relations.**

Senators O'Brien, Ball, Newby, Shively, McCord, Horner, Shea.

### **On Temperance.**

Senators New, Leich, Wood, Ball, Bozeman, Campbell, Humphreys.

**On Military Affairs.**

Senators, White, Leich, Gilbert, Gochenour, Rinear, Humphreys, Johnston.

**On Swamp Lands and Drains.**

Senators Holler, Gostlin, Bethell, Gochenour, Gilbert, Campbell, Stroup.

**On Revision of Constitution.**

Senators Early, Hawkins, Shively, Hogate, LaFollette, Drummond, Shea.

**Congressional Apportionment.**

Senators Hogate, Self, Phares, Gilbert, Ball, White, Collett, Hugg, Schneck, Alexander, Sweeney, Bobilya, Gill.

**Legislative Apportionment.**

Senators Hawkins, LaFollette, Hogate, Houghton, Bozeman, Schneck, Wood, Hubbell, Watson, Alexander, Nusbaum, Gochenour, Campbell.

**Inspection of the Journal.**

Senators Ball, Gilbert, Bethell, Duncan, Hugg, Stroup, Sweeney.

**Executive Appointments.**

Senators Gochenour, Early, Gostlin, New, White, Campbell, Horner.

**Rules.**

Lieutenant-Governor ex-officio, Senators Watson, Duncan, Early, LaFollette, Ball, Alexander, Sweeney.

**Soldiers' Monument.**

Senators Leich, Duncan, Self, Bozeman, Gochenour, Johnson, Humphreys.

**Enrolled Bills (joint).**

Senators Ball, Self, Sweeney.

**Public Buildings (joint).**

Senators Goodwine, Collett, Nusbaum.

**State Library (joint).**

Senators Bethell, McCord, O'Connor.

## BILLS PRESENTED

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1. Alexander—92, 121, 272, 366.
2. Ball—275, 346, 430, 431.
3. Bethell—1.
4. Bobilya—2, 35, 36, 365, 380.
5. Bozeman—3, 37, 279, 280, 324, 358.
6. Campbell—30, 203.
7. Collett—4, 38, 146, 174, 175, 191, 302, 454.
8. Culbert—342, 343, 344.
9. Drummond, 478.
10. Duncan—89, 90, 93, 122, 147, 148, 149, 176, 177, 276, 277, 361, 362, 363, 364, 381, 400, 419.
11. Early—5, 39, 94, 95, 204, 257, 258, 359, 372, 397, 413, 418, 441, 449, 456, 457.
12. Ellison—6, 40, 87, 88, 178, 205, 206, 384, 407.
13. Gilbert—41, 42, 74, 96, 97, 123, 124, 150, 151, 169, 170, 179, 180, 192, 281, 325, 385, 401, 412, 421, 469, 472.
14. Gill—278, 319, 373, 374, 377, 420.
15. Gear—193, 479.
16. Gochenour—98, 99, 152, 166, 167, 335, 439.
17. Goodwine—207, 261, 463.
18. Gostlin—7, 43, 44, 75, 76, 91, 153, 289, 309, 310, 399, 408, 432, 455.
19. Hawkins—45, 77, 100, 125, 171, 194, 208, 293, 294, 334, 339, 340, 341, 354, 355, 356, 357, 409, 410, 428, 450, 463.
20. Hogate—8, 31, 46, 47, 101, 102, 126, 127, 209, 262, 290, 291, 301, 322, 336, 345, 383, 429, 452.
21. Holler—25, 26, 27, 48, 49, 117, 118, 119, 120, 128, 210, 211, 326, 348, 393, 446, 448, 461, 465.
22. Horner—50, 154, 195, 263, 296, 303, 306, 386, 417, 434.
23. Houghton—9, 10, 11, 12, 51, 129, 327.
24. Hubbell—13, 14, 52, 163, 164, 165, 212, 213, 260, 282, 328, 387, 440, 471.
25. Hugg—53, 54, 78, 130, 131, 155, 181, 196, 197, 214, 264, 311, 312, 329, 351, 371, 442, 464, 476.

## BILLS PRESENTED.

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26. Humphreys—215, 265, 300, 375, 438.
27. Johnson of Madison—55, 56, 330, 378, 382, 403, 404, 427, 435, 451, 470.
28. Johnston of Dearborn—15, 57, 58, 462.
29. Kerns—
30. LaFollette—16, 59, 156, 182, 216, 390, 391, 392, 436, 447.
31. Leich—17, 103, 132, 133, 157, 183, 184, 320, 251, 445, 459, 460.
32. McCord—60, 79, 198, 202, 249, 284, 313.
33. Mull—80, 111, 112, 235, 321, 235, 236, 237, 416.
34. New—61, 81, 104, 113, 199, 238, 239, 240, 241, 242, 243, 253, 289, 314, 367, 379, 398, 473.
35. Newby—22, 62, 63, 134, 135, 185, 200, 217, 268, 306, 315, 352, 353, 422, 426, 444, 466, 467.
36. Nusbaum—64, 65, 82, 136, 292, 316, 317, 323, 411.
37. O'Brien—18, 19, 20, 137, 337, 453.
38. O'Connor—138, 331, 349, 376, 405, 424.
39. Patten—66, 218, 219, 433.
40. Phares—21, 101, 139, 140, 168, 220, 245.
41. Rinear—267.
42. Schneck—23, 32, 67, 68, 395, 394, 396.
43. Self—69, 158, 159, 186, 221, 268, 299, 360, 388, 474.
44. Shea—34, 105, 297, 318, 338, 443, 477.
45. Shiveley—28, 29, 70, 71, 83, 84, 106, 107, 114, 141, 142, 160, 172, 187, 201, 222, 269, 273, 274,  
283, 285, 305, 350, 389, 406, 423.
46. Stroup—143, 188, 458.
47. Sweeney—33, 144, 287, 288.
48. Watson—161, 162, 189, 223, 286, 347, 402, 437.
49. White—224, 270.
50. Wood—24, 72, 73, 85, 86, 108, 109, 115, 116, 145, 173, 190, 225, 271, 304, 332, 333, 368, 369,  
370, 414, 415, 425, 475.

# SENATE BILLS.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
1	Jan. 8 . .	A bill for an act fixing the time of holding Circuit Court in the Fifty-seventh Judicial Circuit, composed of the counties of Dubois and Pike. . . .	Bethell . . . . .	Jan. 15 . .	Passed.
2	Jan. 8 . .	A bill for an act making it unlawful to use for testing the weight, grade or value of wheat any measure other than the standard half bushel furnished by the United States, and fixing penalty for using anything other than a straight stick with edges rounded in leveling said measure, etc.	Bobilya . . . . .	Feb. 25 . .	Deposited with Secretary of State without Governor's signature.
3	Jan. 8	A bill for an act fixing time of holding Circuit Court in the Eleventh Judicial Circuit . . . . .	Bozeman . . . . .	Feb. 15 . .	Signed by Governor.
4	Jan. 8 . .	A bill for an act regulating the procedure of County Commissioners in the construction and repair of bridges . .	Collett . . . . .	Feb. 8 . .	Engrossed.
5	Jan. 8 . .	A bill for an act regulating the arrest and surrender of fugitives from other States, etc . . . . .	Early . . . . .	Feb. 23	Signed by Governor.

6	Jan. 8 . .	A bill for an act authorising the sale of bonds to build court houses in certain cases, etc . . . . .	Ellison . . . . .	Feb. 3 . .	Signed by Governor.
7	Jan 8	A bill for an act authorizing Township Trustees to make additional road tax levies for the purpose of liquidating road indebtedness in certain cases specified. . . . .	Goetlin . . . . .	Jan. 16 . .	Indefinitely postponed.
8	Jan. 8 . .	A bill for an act to amend section 2031, R. S. of 1881, relating to jail escapes, etc., and declaring an emergency . .	Hogate . . . . .	Mar. 8 . .	Signed by Governor.
9	Jan. 8 . .	A bill for an act amending sections 72, 126 and 129 of an act fixing the compensation and duties of State and county officers, and declaring an emergency . . . . .	Houghton . . . . .	Feb. 20 . .	Engrossed.
10	Jan. 8 . .	A bill for an act concerning the widening of public highways along section, half and lot or the removal of buildings therefrom, and declaring an emergency . . . . .	Houghton . . . . .	Feb. 20 . .	Bill amended by author.
11	Jan 8 . .	A bill for an act amending section 2076 of Burns' Revised Statutes 1894, defining incest, and declaring an emergency .	Houghton . . . . .	Mar. 8 . .	Signed by Governor.
12	Jan. 8 .	A bill for an act amending an act prescribing the duties of railroad companies, and declaring an emergency .	Houghton . . . . .	Feb. 9 . .	Passed.



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
13	Jan. 8 . .	A bill for an act amending the act providing for the incorporation of street railroad companies, and declaring an emergency. . . . .	Hubbell. . . . .	Mar. 6 . .	Signed by Governor.
14	Jan. 8 . .	A bill for an act defining the Thirty-fourth and Thirty-fifth Judicial Circuits, fixing the terms therein and length thereof, providing for the return of process and repealing conflicting laws. . . . .	Hubbell. . . . .	Jan. 8 . .	Referred to Committee on Organization of Courts.
15	Jan. 8 . .	A bill for an act amending section 62 of an act concerning proceedings in criminal cases, same being section 1635, R. S. 1881 . . . . .	Johnston of Dearborn . . . . .	Jan. 13 . .	Indefinitely postponed.
16	Jan. 8 . .	A bill for an act defining the 26th Judicial Circuit and creating and defining the 58th Judicial Circuit, fixing time for holding court, etc., and declaring an emergency . . . . .	LaFollette . . . .	Mar. 2 . .	Passed by House and Senate over Governor's veto.
17	Jan. 8 . .	A bill for an act fixing the compensation for certain duties of County Auditors, etc., and declaring an emergency	Leich . . . . .	Jan. 8 . .	Referred to Committee on Fees and Salaries

18	Jan. 8	A bill for an act to amend section 37 of an act and repeal section 75 of an act entitled an act to divide the State into precincts for judicial purposes, fixing the time of holding courts therein, etc., and declaring an emergency . . . . .	O'Brien . . . . .	Jan. 28 . .	House Bill No. 32 substituted for this bill.
19	Jan. 8 . .	A bill for an act declaring what are partition fences and providing for the building and repairs and maintenance of such fences, etc., and declaring an emergency . . . . .	O'Brien . . . . .	Mar. 8 . .	Signed by Governor.
20	Jan. 8 . .	A bill for an act creating a Board of Control of Public Buildings and Property, etc., and their compensation, etc., and declaring an emergency . . . . .	O'Brien . . . . .	Feb. 4 . .	Indefinitely postponed.
21	Jan. 8 . .	A bill for an act in regard to taxation, and issuing county bonds, etc., and declaring an emergency . . . . .	Phares . . . . .	Feb. 25 . .	Deposited with Secretary of State without Governor's signature.
22	Jan. 8 . .	A bill for an act concerning and regulating building, loan fund and savings associations and the fees and charges thereof, prescribing certain duties of officers, etc., and declaring an emergency . . . . .	Newby . . . . .	Feb. 18 . .	Indefinitely postponed.
23	Jan. 8 . .	A bill for an act concerning the education of children . . . . .	Schneck . . . . .	Mar. 4 . .	Ordered engrossed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
24	Jan. 8 . .	A bill for an act to amend sections 4, 10 and 17 of an act to establish Indiana State Soldiers' Home, also defining the duties of the surgeon of such home, etc., and declaring an emergency . .	Wood . . . . .	Mar. 5 . .	Signed by Governor.
25	Jan. 8 . .	A bill for an act to repeal section 90 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891 . . . . .	Holler . . . . .	Jan. 20 . .	Enacting clause stricken out.
26	Jan. 8 . .	A bill for an act concerning the taxation of real estate encumbered by mortgage, etc., and declaring an emergency . .	Holler . . . . .	Feb. 20 . .	Passed.
27	Jan 8 . .	A bill for an act to protect the people of Indiana by requiring all persons selling at retail or compounding for sale at retail any poisons, etc., and declaring an emergency . . . . .	Holler (by request)	Jan. 16 . .	Indefinitely postponed.

28	Jan. 8 . .	A bill for an act to amend section 56 of an act entitled an act to divide the State into circuits for judicial purposes, fixing the time for holding courts therein, etc., approved March 6, 1973, and declaring an emergency . .	Shiveley . . . .	Jan. 16 . .	Signed by Governor.
29	Jan. 8 . .	A bill for an act to define trusts and conspiracies against trade, declaring the same unlawful, and declaring contracts in violation of the provisions of this act void . . . . .	Shiveley . . . .	Feb. 20 . .	Engrossed.
30	Jan. 8 . .	A bill for an act to amend an act concerning the organization and perpetuity of voluntary associations, and declaring an emergency . . . . .	Campbell . . . .	Jan. 8 . .	Referred to Committee on Corporations.
31	Jan. 8 . .	A bill for an act concerning the probation of wills, etc., and declaring an emergency . . . . .	Hogate . . . .	Jan. 20 . .	Passed.
32	Jan. 8 . .	A bill for an act concerning the appointment of Public Examiner . . . . .	Schneck . . . .	Jan. 16 . .	Indefinitely postponed.
33	Jan. 8 . .	A bill for an act fixing the time of holding court in the Fifty-seventh Judicial Circuit, etc., and declaring an emergency . . . . .	Sweeney . . . .	Jan. 16 . .	Signed by Governor.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
34	Jan. 8 . .	A bill for an act fixing the time of holding courts in the Sixth Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, and declaring an emergency . . . . .	Shea of Scott, Clark and Jennings .	Jan. 16 . .	Signed by Governor.
35	Jan. 12 . .	A bill for an act making it unlawful to dock and clip horses, providing penalties for violation thereof . . . . .	Bobilya . . . . .	Jan. 14 . .	Indefinitely postponed.
36	Jan. 12	A bill for an act to prevent the destruction of quail, ruffed grouse, and grouse . .	Bobilya . . . . .	Jan. 20 .	Passed.
37	Jan. 12 . .	A bill for an act to prevent the spread of disease among swine, and declaring an emergency . . . . .	Bozeman . . . . .	Mar. 5	Signed by Governor.
38	Jan. 12 . .	A bill for an act to prohibit the destruction of certain wild game . . . . .	Collett (by request)	Jan. 15 . .	Amended.
39	Jan. 12	A bill for an act providing for the maintenance of levees and flood gates . . .	Early . . . . .	Mar. 8 . .	Signed by Governor.

40	Jan. 12 . . .	A bill for an act to amend sections 117, 119, 121, 122, 123, 124, 126, 127, 129, 130, 131 and 132 of an act concerning the government of cities having more than 35,000 and less than 49,000, revising all laws and parts of laws relating to the levying and collecting of school and library taxes that were repealed by said sections herein amended, etc., and declaring an emergency .	Ellison . . . . .	Mar. 4 .	Bill passed House.
41	Jan. 12	A bill for an act compelling the attendance at school of children of certain ages, prohibiting their employment under certain conditions . . . . .	Gilbert . . . . .	Feb. 2 . .	Indefinitely postponed.
42	Jan. 12 . .	A bill for an act prohibiting the formation of trusts. . . . .	Gilbert . . . . .	Feb. 17 . .	Amended and passed; 41 yeas, 5 nays.
43	Jan. 12 . .	A bill for an act to legalize the incorporation of the town of Lowell, in the county of Lake, State of Indiana, and declaring an emergency. . . . .	Gostlin . . . . .	Jan. 14 . .	Signed by Governor.
44	Jan. 12	A bill for an act legalizing the incorporation of the town of Whiting, in Lake County, etc., and declaring an emergency . . . . .	Gostlin . . . . .	Jan. 14 . .	Signed by Governor.
45	Jan. 12	A bill for an act to amend section 122 of an act entitled, an act fixing the compensation and prescribing the duties of certain State fixing fees, etc., emergency. . . . .	Hawkins . .	Jan. 27 . .	Indefinitely postponed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
46	Jan. 12. .	A bill for an act providing for a Legislative apportionment. . . . .	Hogate . . . .	Jan. 28. .	Indefinitely postponed.
47	Jan. 12. .	A bill for an act to amend section 121 of an act of March 6, 1891, concerning taxation, etc. . . . .	Hogate . . . . .	Feb. 3. .	Failed to pass.
48	Jan. 12. .	A bill for an act defining the Thirty-second Judicial Circuit and defining the Fifty-eighth Judicial Circuit, etc., and repealing all laws in conflict therewith . . . . .	Holler. . . . .	Feb. 1. .	Signed by Governor.
49	Jan. 12. .	A bill for an act providing for filling a vacancy in a judgeship, etc., and declaring an emergency. . . . .	Holler (by request)	Jan. 27. .	Committee report unfavorable
50	Jan. 12. .	A bill for an act requiring County Commissioners to employ the County Surveyor in all cases, etc., and declaring an emergency . . . . .	Horner . . . . .	Jan. 15. .	Indefinitely postponed.
51	Jan. 12. .	A bill for an act providing for the issuance of teachers' certificates . . . . .	Houghton. . . .	Feb. 2. .	Read third time and tabled.

52	Jan. 12 . .	A bill for an act fixing the compensation and duties of certain State and county officers . . . . .	Hubbell. . . . .	Jan. 19 . .	Bill failed to pass.
53	Jan. 12 . .	A bill for an act providing for the creation of Superintendent of Public Buildings and abolishing the offices of Custodian and Engineer of the State House, and declaring an emergency .	Hugg. . . . .	Feb. 13	Ordered engrossed.
54	Jan. 12 . .	A bill for an act providing for the manner of proceedings in civil cases, and declaring an emergency. . . . .	Hugg. . . . .	Jan. 12 . .	Indefinitely postponed.
55	Jan. 12 . .	A bill for an act to establish a Superior Court for Grant County of Indians, etc., and declaring an emergency. . .	Johnson. . . . .	Jan. 27 . .	House Bill No. 22 substituted.
56	Jan. 12 . .	A bill for an act to regulate barber work on Sunday, etc., and declaring an emergency. . . . .	Johnson . . . . .	Jan. 14 . .	Indefinitely postponed.
57	Jan. 12 . .	A bill for an act allowing Justice of Peace to issue summons on Sunday . . . .	Johnston of Dearborn . . . . .	Feb. 26 . .	Ordered engrossed.
58	Jan. 12 . .	A bill for an act giving power to civil courts to transact business on Sunday, etc . . . . .	Johnston of Dearborn . . . . .	Feb. 19 . .	Indefinitely postponed.
59	Jan. 12 . .	A bill for an act concerning the common schools of this State and repealing certain sections of the present existing school laws . . . . .	LaFollette. . . . .	Feb. 19	Amended and reported favorably.



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
60	Jan. 12 . .	A bill for an act concerning the establishment of a library system in connection with public schools, etc., and declaring an emergency . . . . .	McCord . . . . .	Feb. 23 . .	Bill failed to pass.
61	Jan. 12 . .	A bill for an act amending section 12 of an act for the incorporation of street railroad companies. . . . .	New . . . . .	Mar. 5	Signed by Governor.
62	Jan. 12 . .	A bill for an act establishing an Appellate Court, defining its jurisdiction, etc., and declaring an emergency. . . . .	Newby . . . . .	Jan. 26 . .	Signed by Governor.
63	Jan. 12 . .	A bill for an act providing for the compensation for constable . . . . .	Newby (by request)	Mar. 8 . .	Signed by Governor.
64	Jan. 12 . .	A bill for an act providing for proof of claims for allowances by Board of County Commissioners, repealing all laws in conflict herewith, and providing a penalty for the violation thereof.	Nusbaum . . . . .	Jan. 16 . .	Indefinitely postponed.

66	Jan. 12 . .	Board of Commissioners and Auditor, repealing all laws in conflict herewith, and providing for the violation thereof.	Nusbaum . . .	Mar. 8	Signed by Governor.
		A bill for an act making it unlawful for any one holding office under the Constitution to accept free passes over any railroad or steamboat lines . . . . .	Patten . . . . .	Jan. 12 . .	Referred to Committee on Judiciary.
67	Jan. 12 . .	A bill for an act to provide for an investigation of the causes of fire, etc . . .	Schneck . . . . .	Jan. 28 . .	Sent to House.
68	Jan. 12 . .	A bill for an act to protect sheep and other domestic animals against the ravages of dogs, and declaring an emergency . .	Schneck . . . . .	Jan. 12 . .	Referred to Committee on Agriculture.
69	Jan. 12 . .	A bill for an act to provide for a revision of the laws of the State of Indiana in relation to municipal corporations, etc., and declaring an emergency. . . . .	Self (by request) .	Feb. 10 . .	Substitute bill reported favorable.
70	Jan. 12 . .	A bill for an act authorizing the incorporation of the boards of commissioners of foreign missions of the governing bodies and religious societies, etc., and declaring an emergency. . . . .	Shiveley (by request)	Feb. 13 . .	Signed by Governor.
71	Jan. 12 . .	A bill for an act relating to the government and general supervision of the State's prisons, etc., and declaring an emergency. . . . .	Shiveley. . . . .	Feb. 11 . .	Indefinitely postponed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL
72	Jan. 12 . .	A bill for an act prescribing certain duties of telegraph companies, etc., and declaring an emergency . . . . .	Wood . . . . .	Jan. 12 . .	Referred to Committee on Corporations.
73	Jan. 12 . .	A bill for an act concerning the appointment of shorthand reporters, their duties and compensation . . . . .	Wood . . . . .	Jan. 12 . .	Recommitted to Committee on Judiciary, with amendments.
74	Jan. 12 . .	A bill for an act regulating insurance and indemnity contracts . . . . .	Gilbert . . . . .	Jan. 12 . .	Referred to Committee on Insurance.
75	Jan. 12 . .	A bill for an act to authorize any railroad company now organized to lease, sell and convey its property, etc. . . . .	Gostlin . . . . .	Mar. 3 . .	Taken to House.
76	Jan. 12 . .	A bill for an act to authorize the consolidation of railroad companies . . . .	Gostlin . . . . .	Feb. 20 . .	Indefinitely postponed.
77	Jan. 12 . .	A bill for an act providing for the employment of shorthand reporters in courts, etc., and declaring an emergency	Hawkins . . . . .	Jan. 27 . .	Indefinitely postponed.

78	Jan. 12 . .	A bill for an act to amend section 43 of an act entitled "an act concerning public officers, etc., and declaring an emergency . . . . ."	Hugg . . . . .	Jan. 27 . .	Referred to House.
79	Jan. 12 .	A bill for an act concerning the incorporation of stock insurance companies, etc., and declaring an emergency . . .	McCord . . .	Feb. 27	Signed by Governor.
80	Jan. 12 . .	A bill for an act providing for notice of the pendency and hearing of petitions, etc., and declaring an emergency . . .	Mull . . . . .	Jan. 12 . .	Indefinitely postponed.
81	Jan. 12 . .	A bill for an act amending insurance laws . . . . .	New . . . . .	Jan. 12 . .	Referred to Committee on Insurance.
82	Jan. 12 . .	A bill for an act to regulate and prescribe purity in the manufacture and sale of drugs . . . . .	Nusbaum . . . .	Feb. 11 . .	Bill failed to pass.
83	Jan. 12 . .	A bill for an act appropriating money for the current expenses of the Eastern Indiana Hospital for the Insane . . . .	Shiveley . . . .	Jan. 12 . .	Referred to Committee on Benevolent Institutions.
84	Jan. 12 . .	A bill for an act to regulate and license the sale of cigarettes . . . . .	Shiveley . . . .	Jan. 27 . .	Passed; ayes, 45; nays, 1.
85	Jan. 12 . .	A bill for an act defining partition fences, etc., and declaring an emergency . . .	Wood . . . . .	Jan. 12	Indefinitely postponed.
86	Jan. 12	A bill for an act requiring railroad companies and corporations to provide signal lights on locomotives, etc . . . .	Wood . . . . .	Feb. 10 .	Reported favorably.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
87	Jan. 12 . .	A bill for an act regulating insurance and indemnity contracts . . . . .	Ellison . . . . .	Jan. 12 . .	Referred to Committee on Judiciary.
88	Jan. 12 . .	A bill for an act relating to actions for the recovery of drainage on account of defective appliances, etc . . . . .	Ellison . . . . .	Jan. 12	Referred to Committee on Judiciary.
89	Jan. 12 . .	A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, etc., and declaring an emergency. . . . .	Duncan . . . . .	Feb. 18 . .	Signed by Governor.
90	Jan. 12 . .	A bill for an act concerning the salaries of Auditor and Treasurer in certain counties, etc., and declaring an emergency. . . . .	Duncan . . . . .	Feb. 26 . .	Signed by Governor.
91	Jan. 12 . .	A bill for an act giving to the Board of Trustees of incorporated towns the power to compel the erection and maintenance of gates and lights at railroad crossings . . . . .	Gostlin . . . . .	Feb. 1	Indefinitely postponed.

92	Jan. 13 . .	A bill for an act to amend section 1 of an act entitled an act concerning the partition of lands, and declaring an emergency.	Alexander. . .	Mar. 5 .	Signed by Governor.
93	Jan. 13 . .	A bill for an act supplemental to an act concerning the construction of free gravel roads, stone or other macadamized roads, etc., and declaring an emergency . . . . .	Duncan . . . .	Mar. 4 . .	Passed House.
94	Jan. 13 . .	A bill for an act for the better security of holders of policies of life insurance companies organized in this State, and declaring an emergency. . . . .	Early . . . . .	Feb. 23 . .	Taken to House.
95	Jan. 13 . .	A bill for an act supplemental to an act providing for organization and regulating the business of life insurance companies, associations and societies, etc., and declaring an emergency. . . . .	Early, by request .	Feb. 23 . .	Sent to House.
96	Jan. 13 .	A bill for an act for the protection of fish in the waters of the State, and providing a penalty for the violation of its provisions. . . . .	Gilbert . . . . .	Mar. 3 . .	Signed by Governor.
97	Jan. 13 . .	A bill for an act to authorize the appointment of a Commissioner of Fisheries for the State of Indiana . . . . .	Gilbert . . . . .	Mar. 3 . .	Signed by Governor.
98	Jan. 13	A bill for an act to prevent the adulteration of drugs and food . . . . .	Gochenour . .	Jan. 13 . .	Indefinitely postponed.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
99	Jan. 13 . .	A bill for an act to compel Justice of the Peace to procure and use a seal and making their acknowledgment of deeds and mortgages, etc., good anywhere in the State . . . . .	Gochenour . . .	Jan. 26 . .	Bill passed.
100	Jan. 13 . .	A bill for an act relative to the selling and compounding of drugs, etc., and declaring an emergency . . . . .	Hawkins . . . .	Jan. 25 . .	Engrossed.
101	Jan. 13 . .	A bill for an act for the incorporation of farmers' and citizens' voluntary associations, etc., and declaring an emergency . . . . .	Hogate, by request . . . .	Mar. 5 . .	Signed by Governor.
102	Jan. 13 . .	A bill for an act providing for the registration of voters . . . . .	Hogate . . . . .	Feb. 5 . .	Special order for Thursday, Feb. 11, at 10 A. M.
103	Jan. 13 . .	A bill for an act to establish additional institution for the education of the deaf and dumb to be located in Evansville . . . . .	Leich . . . . .	Feb. 17 . .	Indefinitely postponed.
104	Jan. 13 . .	A bill for an act concerning insurance, and declaring an emergency . . . .	New (by request).	Jan. 15 . .	Indefinitely postponed.

105	Jan. 13 . .	A bill for an act providing for the erection of a monument over the grave of were massacred providing for an same, and de- . . . . .	Shea of Scott, Clark, Jennings	Feb. 3 . .	Referred to House.
106	Jan. 13 . .	A bill for an act to amend section one (1) of an act to encourage the erection and operation of water works in towns by incorporated associations, etc., approved March 6, 1889 . . . . .	Shiveley . . . . .	Feb. 25 . .	Signed by Governor.
107	Jan. 13 . .	A bill for an act to provide against the adulteration of food and drugs, declaring certain acts connected therewith unlawful, and providing penalties thereof . . . . .	Shiveley . . . . .	Feb. 9 . .	Bill passed.
108	Jan. 13	A bill for an act to repeal an act to amend section 389 of an act concerning proceedings in civil cases, being section 546 of R. S. 1881, and declaring an emergency . . . . .	Wood . . . . .	Feb. 20 . .	Engrossed.
109	Jan. 13 . .	A bill for an act to regulate and restrict the sale of intoxicating liquors, and providing penalties . . . . .	Wood (by request)	Jan. 18 . .	Referred to Committee on Temperance
110	Jan. 13	A bill for an act to repeal section 1 of an act approved March 11, 1895 . . . . .	Phares . . . . .	Feb. 13 . .	Indefinitely postponed.



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
111	Jan. 13 . .	A bill for an act defining the duties of Township Trustees in the sale of township property, and declaring an emergency. . . . .	Mull . . . . .	Mar. 8 . .	Signed by Governor.
112	Jan. 13	A bill for an act to amend section 2 of an act entitled "An act to enable incorporated towns to lay out, open, grade and improve streets and alleys," etc., and declaring an emergency. . . . .	Mull . . . . .	Feb 12 . .	Infinitely postponed.
113	Jan. 13 . .	A bill for an act to amend section 1 of an act entitled "An act prohibiting the playing of base ball on Sunday," and declaring an emergency. . . . .	New. . . . .	Feb. 26 . .	Laid on the table.
114	Jan. 13 .	A bill for an act appropriating money for making improvements and increasing the capacity of the Eastern Indiana Hospital for the Insane . . . . .	Shiveley . . . . .	Jan. 13 .	Referred to Committee on Benevolent Institutions.
115	Jan. 13 . .	A bill for an act amending section 255 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881. . . . .	Wood . . . . .	Jan. 26 . .	Infinitely postponed.

116	Jan. 13 . .	A bill for an act providing that passengers shall not be charged excess fare by railroads on account of their not having purchased tickets . . . . .	Wood . . . . .	Jan. 28 . .	Passed.
117	Jan. 13 . .	A bill for an act establishing a reformatory . . . . .	Holler . . . . .	Feb. 26 . .	Signed by Governor.
118	Jan. 13 . .	A bill for an act appointing probation officers, etc . . . . .	Holler . . . . .	Feb. 11 . .	Bill failed to pass.
119	Jan. 13	A bill for an act prohibiting the keeping of certain prisoners and making it unlawful to contract so to do . . . . .	Holler . . . . .	Mar. 8 . .	Signed by Governor.
120	Jan. 13 . .	A bill for an act concerning the procedure in criminal actions and requiring the court to sentence persons convicted of felonies to an indeterminate period . . . . .	Holler . . . . .	Mar. 8 . .	Signed by Governor.
121	Jan. 14 . .	A bill for an act to amend sections 45, 126, 129, of an act fixing the compensation and prescribing the duties of certain State and county officers, etc., and declaring an emergency . . . . .	Alexander . . . . .	Jan. 14 . .	Referred to Committee on Fees and Salaries.
122	Jan. 14 . .	A bill for an act defining the Ninth and Sixteenth Judicial Circuit, and creating and defining the Fortieth Judicial Circuit, etc . . . . .	Duncan . . . . .	Feb. 4 . .	Indefinitely postponed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
123	Jan. 14	A bill for an act to amend section 3 of an act entitled an act to establish and maintain the Indiana School for Feeble-Minded Youth, and declaring an emergency . . . . .	Gilbert by request . . .	Feb. 2 .	Indefinitely postponed.
124	Jan. 14 . .	A bill for an act to amend section one (1) of an act to require railroad corporations, companies or persons operating within the State of Indiana to give notice of arrival and departure of trains . . . . .	Gilbert . . .	Feb. 2 . .	Sent to House.
125	Jan. 14 . .	A bill for an act appropriating money for payment of the Warren-Scharf Asphalt Company, etc., and declaring an emergency . . . . .	Hawkins . . . .	Feb. 15 . .	Signed by Governor.
126	Jan. 14 . .	A bill for an act fixing the order of proof in certain cases . . . . .	Hogate . . . . .	Feb. 2 . .	Indefinitely postponed.
127	Jan. 14 . .	A bill for an act concerning highways and the supervisors thereof, and declaring an emergency . . . . .	Hogate . . . . .	Mar. 2 . .	Committee report favorable.

128	Jan. 14 . .	A bill for an act to amend section 5998 of the Revised Statutes of 1881, relating to Township Trustees' settlement with Commissioners. . . . .	Holler . . . . .	Jan. 16 . .	Indefinitely postponed.
129	Jan. 14 . .	A bill for an act making it the duty of Election Commissioners to print on the official ballots the names of candidates of any political parties, etc . .	Houghton . . . . .	Jan. 14 . .	Indefinitely postponed.
130	Jan. 14 . .	A bill for an act for an appropriation for the manufacture of embossed printing machinery for the Indiana Institute for the Education of the Blind, and declaring an emergency . . . . .	Hugg . . . . .	Feb. 17 . .	Indefinitely postponed.
131	Jan 14 . .	A bill for an act to amend section 3 of an act entitled an act to provide for the public printing, etc., and declaring an emergency . . . . .	Hugg . . . . .	Jan. 14	Referred to Committee on Fees and Salaries.
132	Jan. 14	A bill for an act amending section 126 of the fee and salary bill passed March 11, 1895. . . . .	Leich . . . . .	Jan. 14 . .	Referred to Committee on Fees and Salaries.
133	Jan. 14 .	A bill for an act fixing the salaries of county officers in Vanderburgh County, and declaring an emergency. . .	Leich . . . . .	Jan. 14	Referred to Committee on Fees and Salaries.
134	Jan. 14	A bill for an act authorizing prosecuting attorneys to administer oath in certain cases, e'c., and declaring an emergency.	Newby . . . . .	Jan. 27 . .	Indefinitely postponed.
135	Jan. 14 . .	A bill for an act regulating the practice of horse-hoeing, and declaring an emergency. . . . .	Newby . . . . .	Jan. 21 . .	Indefinitely postponed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
136	Jan. 14 . .	A bill for an act relating to actions for the recovery of damages on account of defective cars or trolleys and	Nussbaum . . . .	Jan. 14	Recommitted to Committee on Judiciary.
137	Jan. 14 . .	A bill for an act to permit the State of Indiana to be sued for the enforcement of street assessment in certain cases, and declaring an emergency. . . . .	O'Brien (by request) . . . .	Feb. 12	Amended and reported favorably.
138	Jan. 14 . .	A bill for an act concerning inclosures, trespassing animals and partition fences, etc., and declaring an emergency. . . . .	O'Connor . . . .	Jan. 14	Indefinitely postponed.
139	Jan. 14 . .	A bill for an act constituting Boards of Commissioners, Boards of Turnpike Directors, etc., and declaring an emergency. . . . .	Phares . . . . .	Feb. 11 . .	Failed to pass.
140	Jan. 14 . .	A bill for an act regulating the practice of veterinary medicine and surgery and providing for an examining board, and declaring an emergency. . . . .	Phares . . . . .	Jan. 27 .	Lost.

141	Jan. 14 . .	A bill for an act to repeal section 14 of an act entitled "An act concerning promissory notes," etc., approved March 11, 1861. . . . .	Shiveley . . . . .	Jan. 27 . .	Indefinitely postponed.
142	Jan. 14	A bill for an act to amend section 255 of an act entitled "An act concerning proceedings in civil cases," approved March 7, 1861. . . . .	Shiveley . . . . .	Jan. 14 . .	Indefinitely postponed.
143	Jan. 14 .	A bill for an act to amend section 1 of an act to require railroad corporations, companies or persons operating within the State of Indiana to give notice at stations whether passenger trains are on schedule time or not . . . . .	Stroup . . . . .	Jan. 14 . .	Referred to Committee on Railroads.
144	Jan. 14 . .	A bill for the laying out of streets and alleys, etc., and defining . . . . .	Sweeney (by request) . . . . .	Jan. 14 . .	Indefinitely postponed.
145	Jan. 14	A bill for an act to prevent the spread and growth of noxious weeds, and providing penalties for the violation thereof.	Wood . . . . .	Feb. 3 . .	Indefinitely postponed.
146	Jan. 15	A bill for an act relating to electric light works owned by incorporated cities .	Collett. . . . .	Feb. 3 . .	Sent to House.
147	Jan. 15 . .	A bill for an act for the discharge of prisoners from State prisons, and declaring an emergency . . . . .	Duncan . . . . .	Jan. 15 . .	Bill recommitted to Committee on Prisons.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
148	Jan. 15	A bill for an act relating to the duties of township trustees, etc., and declaring an emergency . . . . .	Duncan . . . . .	Mar. 8 . .	Signed by Governor.
149	Jan 15 . .	A bill for an act relative to county commissioners and county auditors. . .	Duncan . . . .	Jan. 27	Indefinitely postponed.
150	Jan. 15 . .	A bill for an act to fix the number of senators and representatives to the General Assembly of the State of Indiana . . . . .	Gilbert . . . . .	Feb. 5 .	Substitute bill reported favorably.
151	Jan. 15 . .	A bill for an act dividing the State of Indiana into congressional districts. .	Gilbert . . . . .	Jan. 15 . .	Referred to Committee on Congressional Apportionment.
152	Jan. 15 . .	A bill for an act to legalize the sale of cigarettes, and providing penalties for violation of the same . . . . .	Gochenour. . . . .	Feb. 2 . .	Indefinitely postponed.
153	Jan. 15 . .	A bill for an act to amend section 1 for the safety and comfort of certain employees of street railroad companies. .	Gostlin . . . . .	Feb. 16	Indefinitely postponed.

154	Jan. 15 . .	A bill for an act to amend an act entitled an act providing the means for securing the health and safety of persons employed in coal mines, etc . . . . .	Horner . . . . .	Mar. 8 . .	Signed by Governor.
155	Jan. 15 . .	A bill for an act concerning action for damages on account of negligence, and declaring an emergency. . . . .	Hugg . . . . .	Feb. 9 . .	Bill passed.
156	Jan. 15 . .	A bill for an act concerning duties of boards of trustees of towns, common councils of cities and boards of commissioners . . . . .	LaFollette. . . . .	Feb. 27 . .	Indefinitely postponed.
157	Jan. 15 . .	A bill for an act to provide to the building of flood gates in ditches having an outlet in water courses, and which drain our flooded lands . . . . .	Leich . . . . .	Jan. 25 . .	Ordered engrossed.
158	Jan. 15 . .	A bill for an act to amend the first, second and third sections of an act entitled an act to amend the first, second and third sections of an act entitled an act regulating the sale of county property and the letting of building bridges, fences, etc., and declaring an emergency. . . . .	Self . . . . .	Jan. 29 . .	Indefinitely postponed.
159	Jan. 15 . .	A bill for an act to amend section 31 of an act entitled an act for the relief of the poor, approved January 9, 1852, being section 6095 of the Revised Statutes. . . . .	Self . . . . .	Jan. 27 . .	Sent to House January 27.



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
160	Jan. 15 . .	A bill for an act for the incorporation of associations, etc., to hold and convey real estate . . . . .	Shiveley . . . . .	Mar. 6 . .	Signed by Governor.
161	Jan. 15 . .	A bill for an act concerning night ferries.	Watson . . . . .	Jan. 27 . .	Committee report favorable.
162	Jan. 15 . .	A bill for an act to amend section 169 of an act entitled an act concerning taxation. . . . .	Watson . . . . .	Mar. 8 . .	Signed by Governor.
163	Jan. 16	A bill for an act to require all railroad companies to keep watchmen at all railroads cross each other in this State, except where interlocking switches are used, etc., and declaring an emergency. . . . .	Hubbell, by request . . . . .	Feb. 10 . .	Indefinitely postponed.
164	Jan. 16 . .	A bill for an act to regulate the rental allowed for the use of telephones and fixing a penalty for its violation . . .	Hubbell, by request . . . . .	Jan. 16 . .	Referred to Committee on Corporations.

165	Jan. 16 . .	A bill for an act to regulate the number of brakemen to be employed by railroad companies upon freight trains operated upon railroads in the State of Indiana. . . . .	Hubbell, by request. . . . .	Feb. 4 . .	Sent to House.
166	Jan. 16 . .	A bill for an act authorizing the Board of County Commissioners to appoint a County Superintendent, etc., and declaring an emergency. . . . .	Gochenour. . . . .	Feb. 20 . .	Engrossed.
167	Jan. 16 . .	A bill for an act to amend section one (1) of an act fixing the compensation and prescribing the duties of certain State and county officers, and declaring an emergency. . . . .	Gochenour. . . . .	Feb. 16 . .	Further consideration of bill indefinitely postponed.
168	Feb. n. 16 . .	A bill for an act to amend section 18, 26 and 45 of the election laws . . . . .	Phares . . . . .	Jan. 16 . .	Referred to Committee on Judiciary.
169	Jan. 16 . .	A bill for an act to authorize school cities and school towns to negotiate and sell bonds to procure means with which to erect and complete unfinished school buildings, etc . . . . .	Gilbert . . . . .	Feb. 19 . .	Substitute bill reported favorably.
170	Jan. 16 . .	A bill for an act to amend sections 43 and 255 of an act concerning taxation, etc., and declaring an emergency. . . . .	Gilbert . . . . .	Feb. 3 . .	Bill failed to pass Senate.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
171	Jan. 16 . .	A bill for an act appropriating money for the payment of claims of the Indians Bermudes Asphalt Company on account of wooden t and Ver- mont, St. Clair and Meridian streets, and the interseptions of Washington street occupied and used by the Institute for Deaf and Dumb and University Square, in city of Indianapolis, and declaring an emergency. . . . .	Hawkins . . . . .	Feb. 9 . .	Passed.
172	Jan. 16 . .	A bill for an act regulating descents and the apportionment of estates, and defining the rights of second or subsequent childless wives, etc., and declaring an emergency . . . . .	Shiveley . . . . .	Jan. 16	Referred to Committee on Judiciary.
173	Jan. 18 . .	A bill for an act providing that claims for material furnished and personal injuries received shall be prior liens against property of railroad companies and corporations . . . . .	Wood . . . . .	Jan. 18 . .	Referred to Committee on Judiciary.
174	Jan. 18 . .	A bill for an act for the improvement of the Northern Hospital for Insane . .	Collett . . . . .	Jan. 18 . .	Referred to Committee on Benevolent Institutions.

175	Jan. 18	A bill for an act for the maintenance of the Northern Hospital for Insane . .	Collett . . . . .	Jan. 18	Referred to Committee on Benevolent Institutions.
176	Jan. 18	A bill for an act authorizing counties, cities, towns and townships to make donations to educational institutions, providing the means for raising the money thereof, and declaring an emergency . . . . .	Duncan . . . . .	Feb. 24	Signed by Governor.
177	Jan. 18 . .	A bill for an act for the protection of public highways and free gravel, stone and macadamized roads; of public highways and free turnpikes and gravel roads . . . . .	Duncan . . . . .	Feb. 9 . .	Substitute bill reported favorably.
178	Jan. 18 . .	A bill for an act concerning the care and control of orphan and dependent children, etc., and declaring an emergency.	Ellison . . . . .	Feb. 24 . .	Signed by Governor.
179	Jan. 18	A bill for an act making it unlawful for any officer of the State of Indiana, or any member of the General Assembly of the State of Indiana, to accept or use any railroad pass or other free conveyance on any railroad, and providing penalties thereof . . . . .	Gilbert . . . . .	Jan. 18 .	Referred to Committee on Railroads.
180	Jan. 18 . .	A bill for an act concerning the acceptance of railroad passes or free conveyance on railroads by judges, and providing penalties thereof . . . . .	Gilbert . . . . .	Jan. 18 . .	Referred to Committee on Railroads.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
181	Jan. 18 . .	A bill for an act for the appointment of special Justices of the Peace, prescribing the duties and compensations of such special Justices of the Peace, fixing the responsibility for their acts, etc., and declaring an emergency . .	Hugg . . . . .	Jan. 18 . .	Indefinitely postponed.
182	Jan. 18 . .	A bill for an act to amend section 14 of an act concerning liens of mechanics, laborers and material men, and declaring an emergency. . . . .	LaFollette . . . .	Feb. 10 . .	Bill passed.
183	Jan. 18 . .	A bill for an act relating to the organizing and regulating the business of life insurance corporations, and defining the meaning of the words assessment plan, and declaring an emergency . . . . .	Leich (by request)	Feb. 12	Indefinitely postponed.
184	Jan. 18 . .	A bill for an act to provide for the better security of the holders of policies of life insurance issued by life insurance companies organized in this State . .	Leich (by request)	Jan. 18 . .	Referred to Committee on Insurance.

185	Jan. 18	A bill for an act to amend sections 3 and 5 of an act approved March 6, 1891, entitled an act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith, approved March 6, 1889 . . . . .	Newby . . . . .	Feb. 23 . .	Signed by Governor.
186	Jan. 18 . .	A bill for an act authorizing cities which have heretofore passed ordinances granting to water-works companies certain rights to provide a sinking fund for the purchase of said franchise, plants, etc., and declaring an emergency . . . . .	Self (by request) .	Feb. 26 . .	Ordered engrossed.
187	Jan. 18 . .	A bill for an act to amend section 117 of an act entitled "An act fixing the compensation, and prescribing the duties of certain State and county officers," etc., approved March 11, 1895, and declaring an emergency . . . . .	Shiveley . . . . .	Jan. 18 .	Referred to Committee on Fees and Salaries.
188	Jan. 18 . .	A bill for an act to encourage agriculture and horticulture, and agricultural and horticultural fairs, by the purchase of real estate for such purpose . . . . .	Stroup . . . . .	Jan. 22 . .	Indefinitely postponed.
189	Jan. 19 . .	A bill for an act to amend section 310 of an act entitled "An act concerning proceedings in criminal cases," approved April 19, 1881, being section 1888 of the Revised Statutes of 1881 and section 1961 of Burns' Revision of 1894 .	Watson . . . . .	Feb. 20 . .	Ordered engrossed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
190	Jan. 18 . .	A bill for an act providing for the survival of claims for personal injuries when appeal is taken from judgment of trial court thereon, and when reversal of same is had and when person obtaining such judgment dies pending appeal, or before new trial thereof . .	Wood . . . . .	Mar. 8 . .	Signed by Governor.
191	Jan. 18 . .	A bill for an act providing for the readjustment of school districts and the location and removal of school houses, and declaring an emergency . . . .	Collett . . . . .	Feb. 23 . .	Bill failed to pass for want of constitutional majority.
192	Jan. 18 . .	A bill for an act concerning drainage, the repairs of ditches and drains, and repealing all laws in conflict therewith, and declaring on emergency . . . .	Gilbert . . . . .	Feb. 3 . .	Committee report favorable.
193	Jan. 18 . .	A bill for an act for the relief of Thomas Levi, of Hamilton County, Ind., concerning a claim against the State for two horses taken from his pasture by State troops, near the town of Osgood, Ripley County, Ind., 1863, and providing for the payment of \$300 and interest of said horses . . .	Goar (by request)	Feb. 4 . .	Indefinitely postponed.

194	Jan. 18 . .	A bill for an act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of a license to practice, etc., and repealing all laws in conflict therewith, and certain acts therein specified . . . . .	Hawkins . . . . .	Feb. 26 . .	Substitute bill reported favorable.
195	Jan. 18	A bill for an act to amend section 17 regulating the weighing of coal, providing for the safety of employees, prohibiting boys and females from working in mines, etc., all conflicting acts repealed, and declaring an emergency .	Horner . . . . .	Mar. 6 . .	Signed by Governor.
196	Jan. 18 . .	A bill for an act to establish a State Board of Embalmers, to provide a system of registration, examination and licensing of embalmers, etc., and declaring an emergency. . . . .	Hugg (by request)	Feb. 1 . .	Indefinitely postponed.
197	Jan. 18 . .	A bill for an act to repeal an act entitled an act to amend section 389 of the act concerning proceedings in civil cases, etc., and declaring an emergency. . .	Hugg . . . . .	Feb. 12 . .	Indefinitely postponed.
198	Jan. 18 . .	A bill for an act to regulate the employment of women and children in manufacturing establishments, and to appoint factory inspectors. . . . .	McCord . . . . .	Feb. 23 . .	House Bill No. 206 substituted for Senate Bill No. 198.



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
199	Jan. 18. .	A bill for an act concerning warehouses receipts, and the issuing, sale and transfer thereof, and the sale of goods, wares and merchandise stored in public or private warehouses in other States. . . . .	New . . . . .	Mar. 8. .	Signed by Governor.
200	Jan. 18. .	A bill for an act to amend section one of an act to establish public libraries, approved February 16, 1852, defining the powers and duties of Township Trustees in relation thereto, and declaring an emergency. . . . .	Newby, by request . . . .	Jan. 18	Referred to Committee on Public Library.
201	Jan. 18. .	A bill for an act to amend section 2018 of the Revised Statutes of 1881, making it a misdemeanor for any officer under the constitution of laws of this State to receive any fee or reward other than that allowed by law, etc . . . . .	Shiveley. . . .	Feb. 3 .	Sent to House.
202	Jan. 18	A bill for an act to amend section 2018 of the Revised Statutes of 1881, making it a misdemeanor for any officer under the constitution of laws of this State to receive any fee or reward other than that allowed by law, etc . . . . .	McCord . . . . .	Feb. 13	Ordered engrossed.

203	Jan. 19 . .	A bill for an act to authorize county officers to execute papers to procure pensions, bounties, back pay and prize money for soldiers and seaman, their widows and orphans, free of charge, repealing all conflicting laws, and providing for and declaring an emergency to exist. . . . .	Campbell (by request) . . . . .	Feb. 1 . .	Indefinitely postponed.
204	Jan. 19 . .	A bill for an act providing for changing the time of electing certain township officers, fixing the time when they shall qualify and assume the duties of their respective offices, repealing all laws and parts of laws in conflict therewith . . .	Early . . . . .	Feb. 25 . .	Signed by Governor.
205	Jan. 19 . .	A bill for an act concerning the building and loan associations and defining the territory within which they may do business. . . . .	Ellison . . . . .	Feb. 1 . .	Report pending.
206	Jan. 19 . .	A bill for an act to amend sections 78 and 79 of an act incorporating cities having more than 35,000 and less than 49,000 by the census of 1890. . . . .	Ellison . . . . .	Feb. 8 . .	Bill passed.
207	Jan. 19 . .	A bill for an act concerning deeds executed upon illegal or invalid tax sales, providing for the release thereof, and declaring an emergency. . . . .	Goodwine . . . . .	Mar. 8 . .	Signed by Governor.
208	Jan. 19 . .	A bill for an act fixing the terms and times of holding court in the Nineteenth Judicial Circuit of the State of Indiana, and declaring an emergency.	Hawkins. . . . .	Feb. 13 . .	Signed by Governor.

# SENATE BILLS--Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
209	Jan. 19 .	A bill for an act to amend section 11 of an act fixing the compensation and prescribing the duties of certain State and county officers, repealing all conflicting laws, approved March 11, 1895, and declaring an emergency. . . . .	Hogate . . . . .	Jan. 29 . .	Referred to Committee on Fees and Salaries.
210	Jan. 19 . .	A bill for an act to amend sections 5, 6, 7 and 9 of an act entitled an act to establish a female prison and reformatory institution for girls and women, to provide for the organization and government thereof, etc., and declaring an emergency . . . . .	Holler . . . . .	Feb. 20 . .	Engrossed.
211	Jan. 19 . .	A bill for an act to repeal section 2 of an act entitled an act concerning the election and qualification of Township Trustees, and section 1 of an act entitled an act to provide for township elections and repealing all conflicting laws, etc. . . . .	Holler . . . . .	Feb. 2 . .	Indefinitely postponed.

212	Jan. 19 . . .	A bill for an act creating and defining the Thirty-third and Thirty-fourth judicial circuits of the State of Indiana, fixing the length of terms and times of holding court in said circuits, etc., and declaring an emergency. . .	Hubbell. . . . .	Feb. 3 . .	Referred to House.
213	Jan. 19 . . .	A bill for an act for the better security of policy holders in life insurance companies, etc., and declaring an emergency. . . . .	Hubbell. . . . .	Feb. 16 . .	Sent to House.
214	Jan. 19 . . .	A bill for an act to amend sections 56, 126 and 129 of an act of the General Assembly of the State of Indiana, entitled an act concerning the incorporation and <sup>is having</sup> more than <sup>1 accord-</sup> ing to the last census of the United States, and declaring an emergency. . .	Hugg. . . . .	Feb. 8 . .	Indefinitely postponed.
215	Jan. 19 . . .	A bill for an act regulating the purchase of school supplies by township trustees.	Humphreys . . . .	Jan. 29 . .	Indefinitely postponed.
216	Jan. 19 . . .	A bill for an act entitled an act to amend sections 253 and 254 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, being sections 1230 and 1231, Revised Statutes of 1881, and declaring an emergency. . . . .	LaFollette . . . .	Feb. 3 . .	Referred to House.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author	Date of Last Action.	CONDITION OF BILL.
217	Jan. 19 . .	A bill for an act to authorize county commissioners to make an appropriation of money for the purchase and to provide for the buildings for the maintenance of Counties . . . . .	Newby (by request)	Feb. 2 . .	Indefinitely postponed.
218	Jan. 19 . .	A bill for an act to amend an act entitled an act concerning offenses and their punishment, approved April 14, 1881, being section 1941 Revised Statutes of 1881, repealing all laws and parts of laws in conflict therewith and providing an emergency . . . . .	Patten . . . . .	Jan. 19 . .	Indefinitely postponed.
219	Jan. 19 . .	A bill for an act concerning taxes assessed for road purposes upon lands used for agricultural purposes within corporate limits of towns, repealing all laws or parts of laws in conflict therewith . . . . .	Patten (by request)	Jan. 19 . .	Indefinitely postponed.
220	Jan. 19 . .	A bill for an act concerning mechanic's liens, amending certain sections and declaring an emergency . . . . .	Phares . . . .	Feb. 10	Indefinitely postponed.

221	Jan. 19 . .	A bill for an act fixing the times for holding court in the Third Judicial Circuit of the State of Indiana, prescribing the length of the terms thereof and repealing all laws in conflict therewith.	Self . . . . .	Jan. 27 . .	Signed by Governor.
222	Jan. 19 . .	A bill for an act declaring the use of ferrets for the purpose of hunting and catching rabbits unlawful and prescribing penalties therefor. . . . .	Shiveley . . . . .	Jan. 19 . .	Indefinitely postponed
223	Jan. 19 . .	A bill for an act to amend section 6 of an act entitled an act fixing the compensation and prescribing the duties of certain State and County officers, etc., and declaring an emergency. . . . .	Watson . . . . .	Feb. 25 . .	Failed to pass.
224	Jan. 19 . .	A bill for an act defining the Second and Third Judicial Circuits and declaring an emergency . . . . .	White . . . . .	Jan. 29 . .	Indefinitely postponed.
225	Jan. 19 . .	A bill for an act to amend section 1 of an act entitled an act concerning the making of private connections with sewer, gas and water pipes in cities having less than 100,000 inhabitants and declaring an emergency. . . . .	Wood . . . . .	Feb. 26 . .	Engrossed.
226	Jan. 21 . .	A bill for an act to amend section 1 of an act providing for the general system of common schools, the officers thereof, their respective duties, etc., and declaring an emergency. . . . .	Gostlin . . . . .	Jan. 27 . .	Indefinitely postponed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
227	Jan. 21 . .	A bill for an act fixing the time of holding court in the Fourth Judicial Circuit of the State of Indiana, prescribing the length of the terms thereof and repealing all laws in conflict therewith, and declaring an emergency . . . . .	Watson . . . . .	Feb. 23 . .	Signed by Governor.
228	Jan. 21 . .	A bill for an act fixing the time of holding court in the Twenty-second Judicial Circuit of Indiana, repealing all laws in conflict, and declaring an emergency . . . . .	Gill. . . . .	Jan. 26 . .	Signed by Governor.
229	Jan. 21 . .	A bill for an act to abolish days of grace when notes, bills, drafts, claims and accounts and other evidences of indebtedness shall become due . . . . .	Ellison . . . . .	Jan. 27 . .	Indefinitely postponed.
230	Jan. 21	A bill for an act for the appointment and retiring of trustees of funds and estates in certain cases, fixing rights, duties and jurisdiction of the same, and declaring an emergency . . . . .	Hawkins . . . . .	Feb. 10 . .	Indefinitely postponed.

231	Jan. 21	A bill for an act to define and punish frauds upon hotels, boarding-houses, etc., providing a penalty, and declaring an emergency. . . . .	Hawkins . . . . .	Feb. 4 . .	Amended and reported favorably.
232	Jan. 21 . .	A bill for an act amending the charter of the Western Mutual Life Insurance and Trust Company. . . . .	Hawkins . . . . .	Mar. 1 . .	Ordered engrossed.
233	Jan. 21 . .	A bill for an act concerning powers and duties of cities and incorporated towns and their Common Councils and Board of Trustees, providing the mode and manner of making street and alley improvements, etc., and declaring an emergency . . . . .	Hugg . . . . .	Feb. 10 . .	Indefinitely postponed.
234	Jan. 21 . .	A bill for an act defining and regulating the practice of optometry, creating a Board of Examiners of Optometry, etc., and declaring an emergency . . . . .	Hogg . . . . .	Jan. 21 . .	Referred to Committee on Public Health, Vital and Other Statistics.
235	Jan. 21 . .	A bill for an act to sales of real estate by trustees under the laws of voluntary assignments, and declaring an emergency . . . . .	Mull . . . . .	Mar. 6 . .	Signed by Governor.
236	Jan. 21 . .	A bill Attorney, requiring the Secretary of State to transmit copies of the act, and declaring an emergency. . . . .	Mull . . . . .	Jan. 29 . .	Indefinitely postponed



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
237	Jan. 21	A bill for an act concerning the constructing, equipping and operating of electric light plants by the Common Councils of cities and Boards of Trustees of towns, and declaring an emergency. .	Mull (by request)	Feb. 26 . .	Committee report favorable.
238	Jan. 21 . .	A bill for an act to repeal section 22 of an act for the incorporation of insurance companies, defining their powers and prescribing their duties, and declaring an emergency . . . . .	New . . . . .	Jan. 21 . .	Referred to Committee on Insurance.
239	Jan. 21 . .	A bill for an act for the incorporation of insurance companies, defining their powers and prescribing the duties of the Auditor of State, the Attorney-General and County Clerks in connection therewith, providing penalties, repealing all laws in conflict therewith, and declaring an emergency. . . . .	New . . . . .	Jan. 21 . .	Referred to Committee on Insurance.
240	Jan. 21 . .	A bill for an act concerning a standard form of fire insurance policy, and prescribing penalties . . . . .	New . . . . .	Jan. 21 . .	Referred to Committee on Insurance.

241	Jan. 21 . .	A bill for an act regulating foreign insurance companies doing business in this State, repealing all laws in conflict therewith . . . . .	New . . . . .	Jan. 21	Referred to Committee on Insurance.
242	Jan. 21 . .	A bill for an act to repeal an act entitled an act to fix the number of Senators and Representatives to the General Assembly of the State, and the apportionment of the same among the several counties of the State, repealing all laws in conflict therewith and declaring an emergency . . . . .	New . . . . .	Feb. 23 . .	Taken to House.
243	Jan. 21 . .	A bill for an act to protect the owners of bottles, boxes, siphons, tins or kegs used in the sale of soda water, etc., providing penalties for violation of the same.	New . . . . .	Feb. 19 . .	Indefinitely postponed.
244	Jan. 21 . .	A bill for an act defining the duties of the Board of Directors of Cemetery Associations, etc., and declaring an emergency . . . . .	Newby (by request)	Feb. 1 . .	Indefinitely postponed.
245	Jan. 21 . .	A bill for an act to amend section 119 of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, fixing fees, etc., prescribing penalties and repealing all conflicting laws . .	Phares . . . . .	Mar. 6 . .	Signed by Governor.
246	Jan. 21 . .	A bill for an act to amend section 113 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency . . . . .	Shiveley . . . . .	Feb. 8 . .	Bill passed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
247	Jan. 21 . .	A bill for an act to provide for the preservation of public health and other matters connected therewith . . . .	White . . . .	Feb. 23 . .	Indefinitely postponed.
248	Jan. 21 . .	A bill for an act to amend section 133 of an act entitled on act concerning the incorporation and government of cities having more than 35,000 and less than 49,000, according to the last preceding United States census, and declaring an emergency . . . . .	Bobilya . . . .	Feb. 27 . .	Ordered engrossed.
249	Jan. 21 . .	A bill for an act prohibiting the manufacture and sale of cigarette and cigarette wrappers, fixing penalties for the violation of same . . . . .	McCord (by request) . .	Feb. 2 . .	Sent to House.
250	Jan. 22 . .	A bill for an act to amend the seventy-first section of an act for the election of Justices of the Peace, their jurisdiction, powers and duties in civil cases, etc . . . . .	Horner (by request) . . . .	Feb. 15 . .	Ordered engrossed.

251	Jan. 22 . .	A bill to appropriate money to defray the expense of the commission appointed by the Supreme Court of the United States in establishing a boundary line between the State of Indiana and the commonwealth of Kentucky, opposite Green River Island, and declaring an emergency . . . . .	Leich . . . . .	Mar. 8 . .	Signed by Governor.
252	Jan. 22	A bill for an act in relation to the funds of certain educational institutes . .	Duncan . . . . .	Jan. 22 . .	Referred to Committee on Education.
253	Jan. 22 . .	A bill for an act concerning allowances for attorney fees, etc., incurred in the prosecution and defense of criminal actions . . . . .	New . . . . .	Feb. 20 . .	Engrossed.
254	Jan. 22 . .	A bill for an act authorizing educational institutions incorporated under the laws of the State of Indiana to admit to membership in its board of trustees trustees elected by the alumni of such institutions and declaring an emergency	O'Brien (by request) . . . . .	Mar. 8 . .	Signed by Governor.
255	Jan. 22 . .	A bill for an act to amend section 96 of an act entitled "An act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, repealing all conflicting laws. . . . .	Self . . . . .	Feb. 8	Ordered engrossed.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
256	Jan. 22 . .	A bill for an act to provide a statue of Oliver P. Morton for the National Statuary Hall in Capitol at Washington, D. C., appropriating money therefor and declaring an emergency . . . . .	Shiveley . . . . .	Feb. 27 . .	Signed by Governor.
257	Jan. 22 . .	A bill for an act regulating the transaction of fire insurance business in the State of Indiana by corporations, agents or insurance companies, and authorized to transact the business of fire insurance in said State, and prescribing punishment for the violation of this act . . . . .	Early . . . . .	Feb. 27 . .	Ordered engrossed.
258	Jan. 22 . .	A bill for an act to legalize all actions of Notaries Public whose commissions have expired, or who at the time of transacting any notarial business had no notary public commission, or who have been ineligible to office, and declaring an emergency . . . . .	Early . . . . .	Feb. 16 . .	Constitutional rules suspended and bill passed Senate.
259	Jan. 22 . .	A bill for an act for the better protection of the fish of Indiana . . . . .	Hubbell (by request) . . . . .	Feb. 20 . .	Engrossed.

260	Jan. 25 . . .	A bill for an act to repeal section one of an act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair, etc., and declaring an emergency. . . . .	Goehenour. . .	Mar. 8 . .	Signed by Governor.
261	Jan. 25 . . .	A bill for an act in relation to the taxation of land in towns or cities. . . .	Goodwine (by request) . . .	Jan. 27 . .	Indefinitely postponed.
262	Jan. 25 . . .	A bill for an act in relation to Savings Banks, providing for the issuing of stock, the payment therefor, the liability of such stockholders, etc., and declaring an emergency. . . . .	Hogate . . . . .	Feb. 8 . .	Text of House Bill No. 429 substituted for this bill.
263	Jan. 55 . . .	A bill for an act for the comfort of employes and passengers of street railway companies . . . . .	Horner . . . . .	Feb. 20 . .	Bill passed.
264	Jan. 25 . . .	A bill for an act the claims of Fuehring for streets abutting to the State of Indiana, etc., and declaring an emergency . . . . .	Hugg . . . . .	Feb. 12 . .	Sent to House.
265	Jan. 25 . . .	A bill for an act to regulate the appointment of Bridge Superintendents by Boards of County Commissioners, and declaring an emergency. . . . .	Humphreys . . .	Feb. 8 . .	Referred to House.
266	Jan. 25 . . .	A bill for an act to amend section 85 of an act entitled an act for the relief of the poor, approve June 9, 1852. . . .	Newby . . . . .	Mar. 8 . .	Signed by Governor.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
267	Jan. 25 . .	A bill for an act to provide for the levy of taxes by the Trustees of civil townships and the Trustees of incorporated towns for the purpose of creating a fund out of which teachers in the public schools may be paid for janitor work done by them, and declaring an emergency. . . . .	Rinear . . .	Jan. 25 . .	Referred to Committee on County and Township Business.
268	Jan. 25 . .	A bill for an act concerning the duties of Township Trustees and matters connected therewith, and declaring an emergency. . . . .	Self. . . . .	Feb. 12 . .	Sent to House.
269	Jan. 25 . .	A bill for an act decreasing the number of Justices of the Peace, repealing all laws and parts of laws in conflict herewith . . . . .	Shiveley (by request). . . . .	Feb. 20 . .	Engrossed
270	Jan. 25 . .	A bill for an act to abolish the State Live Stock Sanitary Commission to provide for the appointment of a veterinary surgeon by the Governor, defining his duties and compensation, and repealing all laws in conflict . .	White (by request)	Feb. 26	Ordered engrossed.

271	Jan. 25 . .	A bill for an act defining the crime of criminal trespass, providing the punishment therefor, repealing inconsistent acts and declaring an emergency .	Wood . . . . .	Jan. 27 . .	Committee reported favorably.
272	Jan. 25 . .	A bill for an act to legalize all actions of notaries public whose commissions have expired or who at the time of transacting any business had no notary public commission, or who having been ineligible to office, etc., and declaring an emergency . . . . .	Alexander . . . . .	Feb. 11 . .	Indefinitely postponed.
273	Jan. 26 . .	A bill for an act in aid of taxation, etc., and declaring an emergency . . . . .	Shiveley . . . . .	Jan 26 . .	Referred to Committee on Judiciary.
274	Jan. 26 . .	A bill for an act concerning taxation, repealing all laws in conflict therewith and declaring an emergency . . . . .	Shiveley (by request) . . . . .	Feb. 2 . .	Indefinitely postponed.
275	Jan. 26 . .	A bill for an act providing for reclaiming and drainage, and prescribing the powers and duties of County Commissioners and other officers, etc., and declaring an emergency . . . . .	Ball . . . . .	Feb. 13	Ordered engrossed.
276	Jan. 26 . .	A bill for an act relating to compulsory education . . . . .	Duncan . . . . .	Feb. 11 . .	Ordered printed.
277	Jan. 26 . .	A bill for an act in relation to the control and government of certain penal, benevolent and reformatory institutions .	Duncan . . . . .	Feb. 10 . .	Indefinitely postponed.



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
278	Jan. 26 . .	A bill for an act to define and limit the power of cities and towns over taxation of land for agricultural purposes within the corporate boundaries . . .	Gill . . . . .	Feb. 1 . .	Indefinitely postponed.
279	Jan. 26 . .	A bill for an act providing for the construction and maintenance of gravel roads in the State of Indiana . . .	Bozeman . . .	Feb. 11 . .	Bill failed to pass.
280	Jan. 26 . .	A bill to legalize the incorporation of the town of Cynthiana, in Posey County, Indiana, etc., and declaring an emergency . . . . .	Bozeman . .	Mar. 8 . .	Deposited with Secretary of State without Governor's signature.
281	Jan. 26 . .	A bill for an act to construe section 25 of an act concerning drainage, etc., and declaring an emergency. . . . .	Gilbert . . . .	Mar. 6 . .	Passed House.
282	Jan. 26 . .	A bill for an act requiring all persons owning or operating dining room, buffet, drawing-room or sleeping cars in this State to secure a license for the sale of liquors on said cars, providing penalties, etc. . . . .	Hubbell (by request . . . . .	Feb. 12 . .	Indefinitely postponed.

283	Jan. 26 . .	A bill for an act to establish a State Board of Health, defining its powers and duties, etc., and declaring an emergency. . . . .	Shiveley (by request). . . . .	Feb. 26 . .	Ordered engrossed.
284	Jan 27 . .	A bill for an act concerning Building, Loan Fund and Savings Associations.	McCord . . . . .	Mar. 2 . .	Taken to House.
285	Jan. 27 . .	A bill for an act to prevent the spread of contagious diseases among trees . . .	Shiveley (by request). . . . .	Feb. 2 . .	Indefinitely postponed.
286	Jan. 27 . .	A bill for an act to provide for the better government, control, management and general supervision of the State prisons at Jeffersonville and Michigan City, and declaring an emergency . . . . .	Watson . . . . .	Feb. 2 . .	Committee report favorable.
287	Jan. 27 . .	A bill for an act to amend section 10 of an act concerning ferries, and prescribing punishment for the violation of its provisions. . . . .	Sweeney, by request . . . . .	Feb. 25 .	House Bill No. 387 substituted for this bill.
288	Jan. 27 . .	A bill for an act to legalize all actions of notaries public, etc., and declaring an emergency . . . . .	Sweeney . . . . .	Jan. 27 . .	Reported favorably.
289	Jan. 27 . .	A bill for an act defining school districts of the first grade, and establishing the system of school government therein.	New . . . . .	Jan. 27 . .	Referred to Committee on City of Indianapolis.
290	Jan. 27 . .	A bill for an act for the propagation and protection of fish, etc., and declaring an emergency . . . . .	Hogate . . . . .	Feb 8 . .	Enacting clause ordered stricken out.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
291	Jan. 27 . .	A bill for an act to award a State's Life Licence to the graduates of schools having a course in Pedagogy, and declaring an emergency . . . . .	Hogate . . . . .	Feb. 19 .	Bill failed to pass.
292	Jan. 27 . .	A bill for an act regulating insurance and indemnity contracts, prohibiting the imposition of certain conditions, etc.	Nusbaum . . . .	Jan. 27 . .	Referred to Committee on Insurance
293	Jan. 27 . .	A bill for an act to provide for greater purity of elections and for the casting and registering of votes by means of voting machines, etc., and declaring an emergency . . . . .	Hawkins . . . .	Feb. 12 . .	Indefinitely postponed.
294	Jan. 27 . .	A bill for an act concerning liens of mechanics, laborers and material men, etc., and declaring an emergency. . .	Hawkins . . . . .	Feb. 27 . .	Sent to House.
295	Jan. 27 . .	A bill for an act concerning assessments and liens upon real estate for improvements upon or in streets, sidewalks and alleys in incorporated towns and cities of less than twelve thousand inhabitants, and declaring an emergency . . . . .	Mull (by request)	Feb. 27 . .	Ordered engrossed.

296	Jan. 27 . .	A bill for an act requiring notaries public and other officers to affix date of expiration of their commissions to all certificates of acknowledgments . . .	Horner . . . . .	Feb. 13 . .	Ordered engrossed.
297	Jan. 27 . .	A bill for an act making it unlawful for persons, corporations or institutions to confer academic degrees of titles except when empowered to do so by the State Board of Education, and providing a penalty for the violation thereof . . . . .	Shea . . . . .	Feb. 17 . .	Indefinitely postponed.
298	Jan. 27	A bill for an act to provide for the general system of common schools, etc., repealing all laws in conflict, and declaring an emergency . . . . .	Gostlin . . . . .	Feb. 2 . .	Indefinitely postponed.
299	Jan. 28 . .	A bill for an act concerning the offices of County Assessors, etc., and declaring an emergency. . . . .	Self . . . . .	Feb. 2 . .	Indefinitely postponed.
300	Jan. 28 . .	A bill for an act defining public highways, and declaring an emergency. . . . .	Humphreys . . . .	Mar. 8 . .	Signed by Governor.
301	Jan. 28 . .	A bill for an act authorizing and empowering County Surveyors to perpetuate section corners as located by government survey, and declaring an emergency. . . . .	Hogate . . . . .	Feb. 9 . .	Bill failed to pass.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
302	Jan. 28 . .	A bill for an act to authorize Boards of Trustees, Boards of Managers and public authorities having the control of grounds occupied by penal or benevolent institutions to permit the taking of gravel, etc., for grading public highways, etc., and declaring an emergency	Collett. . . . .	Feb. 8 . .	Engrossed.
303	Jan. 28 . .	A bill for an act to regulate the weighing and screening of coal . . . . .	Horner (by request)	Feb. 26 . .	Ordered engrossed.
304	Jan. 28 . .	A bill for an act to provide for the recovering of costs in actions in Circuit or Superior Courts . . . . .	Wood . . . . .	Feb. 16 . .	Indefinitely postponed.
305	Jan. 28 . .	A bill for an act authorizing Superintendents and Wardens of the benevolent and correctional institutions to hold autopsies . . . . .	Shiveley (by request). . .	Feb. 23 . .	Bill passed.
306	Jan. 28	A bill for an act to amend section 40 of an act concerning public offenses and their punishment, approved April 14, 1881, the same being section 1941 of the Revised Statutes of 1881 . . . .	Newby (by request). . . . .	Feb. 4 . .	Indefinitely postponed.

307	Jan. 28 . .	A bill for an act to legalize the incorporation of the town of Roann, in Wash County, etc., and declaring an emergency. . . . .	. . . . .	Feb. 8	Signed by Governor.
308	Jan. 29 . .	A bill for an act to provide for the examination of mine bosses, fire bosses and hoisting engineers at coal mines, prohibiting the employment of persons not having certificates, etc., and providing penalties. . . . .	Horner . . . . .	Mar. 5 . .	Signed by Governor.
309	Jan. 29 . .	A bill for an act concerning proceedings in civil cases, etc., and declaring an emergency. . . . .	Gostlin . . . . .	Mar. 8 . .	Signed by Governor.
310	Jan. 29 . .	A bill for an act to authorize incorporated cities in this State to construct extend, widen, deepen, repair and otherwise improve and construct harbor canals, etc., and declaring an emergency. . . . .	Gostlin . . . . .	Feb. 20 . .	Engrossed.
311	Jan. 29 . .	A bill for an act concerning the sessions of the County Commissioners in counties having not less than 125,000 inhabitants, and declaring an emergency. . . . .	Hugg . . . . .	Mar. 8 . .	Signed by Governor.
312	Jan. 29 . .	A bill for an act to protect the manufacturers and bottlers of mineral waters, etc., to preserve the ownership and title of bottles and syphons used by them. . . . .	Hugg . . . . .	Mar. 9 . .	Signed by Governor.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
313	Jan. 29 . .	A bill for an act concerning the incorporation of insurance companies and declaring an emergency. . . . .	McCord (by request). . . . .	Jan. 29 . .	Referred to Committee on Insurance.
314	Jan. 29 . .	A bill for an act to appropriate the sum of \$704 to pay Andrew Sweeney for labor performed by him for the State of Indiana . . . . .	New . . . . .	Feb. 20 . .	Constitutional rules suspended and bill passed.
315	Jan. 29 . .	A bill for an act providing for appeals from the Board of Trustees and Common Councils . . . . .	Newby (by request). . . . .	Feb. 4 . .	Indefinitely postponed.
316	Jan. 29 . .	A bill for an act regulating and describing the manner under which medicines or combinations of drugs may be sold in the State of Indiana . . . . .	Nusbaum . . . . .	Mar. 2 . .	Indefinitely postponed.
317	Jan. 29 . .	A bill for an act to create the office of Public Defender, and defining his duties. . . . .	Nusbaum . . . . .	Feb. 11 . .	Indefinitely postponed.
318	Jan. 29 . .	A bill for an act providing for indexing public highways in Auditor's offices .	Shea . . . . .	Feb. 16	Sent to House.

319	Jan. 29 . .	A bill for an act relating to common schools, repealing all laws in conflict therewith . . . . .	Gill. . . . .	Jan. 29 . .	Referred to Committee on Education.
320	Jan. 29 . .	A bill fixing the salary of the Quartermaster-General, repealing all laws in conflict therewith, and declaring an emergency. . . . .	Leich . . . . .	Jan. 29 . .	Referred to Committee on Fees and Salaries.
321	Jan. 29 . .	A bill for an act to amend section 119 of an act fixing the compensation and prescribing the duties of certain State and county officers, etc. . . . .	Mull . . . . .	Feb. 26 . .	Failed to pass.
322	Jan. 29 . .	A bill for an act to authorize the organization and incorporation of mutual fire insurance companies, and defining their powers, rights and duties, etc., and declaring an emergency. . . . .	Hogate . . . . .	Jan. 29 . .	Referred to Committee on Insurance.
323	Jan. 29 . .	A bill for an act making it unlawful for any Judge of this State to accept or use any railroad pass or other free transportation over any railroad, and providing penalties. . . . .	Nusbaum . . . . .	Feb. 4 . .	Referred to Committee on Railroads.
324	Feb. 1 . .	A bill for an act authorizing Boards of County Commissioners to lay out and construct free gravel, macadamized or turnpike roads, etc. . . . .	Bozeman . . . . .	Feb. 16 . .	Sent to House.
325	Feb. 1 . .	A bill for an act to legalize certain actions of the Boards of Trustees of the town of Waterloo . . . . .	Gilbert . . . . .	Feb. 18 . .	Signed by Governor.



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
326	Feb. 1 . .	A bill for an act relating to the collection of statistics by the Chief of the Bureau of Statistics, County Auditors, Township Assessors, etc., and declaring an emergency . . . . .	Holler . . . . .	Feb. 4 . .	Recommitted to Committee on Agriculture.
327	Feb. 1 . .	A bill for an act to legalize certain surveys made by order of the Board of Trustees of incorporated town of Shoals, etc., and declaring an emergency . . . . .	Houghton . . . . .	Mar. 6 . .	Deposited with Secretary of State without Governor's signature.
328	Feb. 1 . .	A bill for an act providing for the taxation of witness fees in cases of misdeemeanors tried before any Justice of the Peace, City Judge or Mayor when the defendant pleads guilty, and declaring an emergency . . . . .	Hubbell (by request) . . . . .	Feb. 20 . .	Bill passed.
329	Feb. 1 . .	A bill for an act to amend section — of an act entitled an act concerning proceedings in civil cases . . . . .	Hugg . . . . .	Feb. 20 . .	Amended and passed.

330	Feb. 1 . . .	A bill for an act to amend section 11 of an act entitled a bill prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair, and declaring an emergency .	Johnson (by request) . . . . .	Feb. 10 . . .	Indefinitely postponed.
331	Feb. 1	A bill for an act providing for medical attention to poor persons not inmates of county asylums or city hospitals and matters relating thereto, repealing all laws in conflict therewith, and declaring an emergency . . . . .	O'Conner . . . . .	Feb. 19 . . .	Bill failed to pass.
332	Feb. 1 . . .	A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, fixing fees and salaries, and declaring an emergency . . . . .	Wood . . . . .	Feb. 1 . . .	Referred to Committee on Fees and Salaries.
333	Feb. 1 . . .	A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, fixing fees and salaries, etc., and declaring an emergency . . . . .	Wood (by request)	Feb. 1 . . .	Referred to Committee on Fees and Salaries.
334	Feb. 1 . . .	A bill for an act relative to bonds and other obligations with surety or sureties, etc., and declaring an emergency. . . . .	Hawkins . . . . .	Mar. 8 . . .	Signed by Governor.
335	Feb. 2 . . .	A bill for an act to regulate the purchase of record and stationery by committees, making a penalty for violation of same, and declaring an emergency. . . . .	Gochenour . . . . .	Feb. 10 . . .	Indefinitely postponed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
336	Feb. 2 . .	A bill for an act to repeal section 4557 of the Revised Statutes of 1881 relating to the granting of diplomas, etc. . . .	Hogate . . . .	Feb. 2 . .	Referred to Committee on Education.
337	Feb. 2 . .	A bill for an act for the better accommodation of law libraries of the Supreme Court, and declaring an emergency. .	O'Brien (by request). . . . .	Mar. 8 . .	Signed by Governor.
338	Feb. 2 . .	A bill for an act providing for the collection of final judgments obtained in the Supreme, Appellate, Superior and Circuit Courts, etc., and declaring an emergency. . . . .	Shea . . . . .	Feb. 8 . .	Indefinitely postponed.
339	Feb. 2 . .	A bill for an act concerning the incorporation and government of cities having more than one hundred thousand population, repealing certain sections, and declaring an emergency . . . . .	Hawkins . . . . .	Feb. 26 . .	Deposited with Secretary of State without Governor's signature.
340	Feb. 2 . .	A bill for an act to amend section 78 of an act entitled "An act concerning the incorporation and government of cities having more than 100,000 population, etc., and declaring an emergency . .	Hawkins . . . .	Feb. 23 . .	Signed by Governor.

341	Feb. 2 .	A bill for an act to amend sections 2 and 4 of an act entitled "An act entitled an act to amend sections 4, 6, 7, 8, 9, 10 and 11 of an act concerning the incorporation of cities having more than 100,000 inhabitants, and declaring an emergency. . . . ."	Hawkins . . . . .	Feb. 26 . .	Signed by Governor.
342	Feb. 2 . .	A bill for an act to establish a Superior Court for the counties of Lake, Porter and Laporte, defining its authority and jurisdiction, etc., and declaring an emergency. . . . .	Culbert . . . .	Mar. 8 . .	Signed by Governor.
343	Feb. 2 . .	A bill for an act prescribing the duties of fire insurance companies and parties insured in cases of loss or damage by fire, etc . . . . .	Culbert . . . . .	Feb. 17 . .	Recommended to Committee on Judiciary.
344	Feb. 2 . .	A bill for an act regulating changes of venue in certain cases . . . . .	Culbert . . . . .	Feb. 8 . .	Reported favorably.
345	Feb. 2 . .	A bill for an act to amend sections 5 and 9 of an act to authorize the organization and incorporation of loan and trust and safe deposit companies, etc .	Hogate . . . . .	Feb. 19 . .	Bill passed.
346	Feb. 2 . .	A bill for an act to prevent extortion, etc., and declaring an emergency. . .	Ball. . . . .	Feb. 3 . .	Referred to Committee on Judiciary.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
357	Feb. 3 . .	A bill for an act entitled an act on the subject of and relating to railroad crossings, repealing all laws in conflict therewith, and declaring an emergency . . . . .	McCord . . . . .	Mar. 8 . .	Signed by Governor.
358	Feb. 3 . .	A bill for an act to amend sections 2, 3, 5, 6, 8, 9, 10, 11, 15, 22, 26 of an act concerning drainage under specified conditions, etc., and declaring an emergency . . . . .	Bozeman . . . . .	Feb. 24 . .	Taken to House.
359	Feb. 3	A bill for an act providing for a metropolitan police force in certain cities, etc., and declaring an emergency. . .	Early . . . . .	Feb. 27 . .	Deposited with Secretary of State without Governor's signature.
360	Feb. 3 . .	A bill for an act concerning public offenses and their punishment relating to whoever sells, barterers or offers to sell or barter his vote at any general or primary election . . . . .	Self . . . . .	Mar. 8 . .	Signed by Governor.
361	Feb. 4 . .	A bill for an act entitled an act to amend section 422 of an act concerning proceedings in civil cases, approved April 7, 1881 . . . . .	Duncan . . . . .	Feb. 16 . .	Sent to House.

362	Feb. 4	A bill for an act concerning the opening of streets and alleys in incorporated towns in the State of Indiana . . . .	Duncan . . . . .	Feb. 19 . .	Indefinitely postponed.
363	Feb. 4 . .	A bill for an act in relation to changes of venue and to repeal all laws conflicting therewith, and declaring an emergency	Duncan . . . . .	Feb. 20 . .	Engrossed.
364	Feb. 4 .	A bill for an act authorizing women to vote at elections of Boards of School Commissioners of cities of 30,000 or more inhabitants . . . . .	Duncan . . . . .	Feb. 17 . .	Recommitted to Committee on City of Indianapolis.
365	Feb. 4 . .	A bill for an act relating to the carcass of dead animals being fed to domestic animals or fowls by any person, firm or corporation, and providing penalties for the violation thereof . . . . .	Bobilya . . . . .	Feb. 10 . .	Indefinitely postponed.
366	Feb. 4 . .	A bill for an act to prevent the location of a railroad on real estate held, used or occupied as a cemetery, etc . . . .	Alexander (by request) . . . . .	Feb. 16 . .	Sent to House.
367	Feb. 4 . .	A bill for an act to provide a sinking fund for and the liquidation of the indebtedness of cities of more than 100,000, etc., and declaring an emergency. . .	New . . . . .	Feb. 12 . .	Indefinitely postponed.
368	Feb. 4 . .	A bill for an act to amend sections 1 and 3 of an act concerning the ownership and alienation of real estate by aliens, and declaring an emergency, approved March 9, 1895, etc . . . . .	Wood . . . . .	Feb. 19 . .	Sent to House.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL
369	Feb. 4 . .	A bill for an act relating to the heating of street railway cars . . . . .	Wood. . . . .	Feb. 9 . .	Indefinitely postponed.
370	Feb. 4 . .	A bill for an act requiring all claims against Circuit, Superior or Criminal Courts be verified, repealing all laws or parts of laws in conflict therewith, and declaring an emergency. . . . .	Wood. . . . .	Feb. 20 . .	Engrossed.
371	Feb. 4 . .	A bill for an act to amend section 10 of an act providing for voluntary assignments of personal and real property in trust, etc., and declaring an emergency . . . . .	Hogg . . . . .	Feb. 20 . .	Engrossed.
372	Feb. 4 . .	A bill for an act providing monthly sessions of County Commissioners in counties of 50,000 or more, etc., and declaring an emergency . . . . .	Early . . . . .	Feb. 4 . .	Referred to Committee on Judiciary.
373	Feb. 4 . .	A bill for tion and regulating the control and issuance of free passes, etc., to State and county officials by railroads, fixing penalties, etc . . . . .	Gill . . . . .	Feb. 20 . .	Indefinitely postponed.

374	Feb. 4 . . .	A bill for an act to allow the use of voting machinery in towns or city elections .	Gill . . . . .	Feb. 12 . .	Indefinitely postponed.
375	Feb. 4 . .	A bill for an act regulating the visiting of schools by County Superintendents.	Humphreys . . .	Feb. 17 . .	Indefinitely postponed.
376	Feb. 4 . .	A bill for an act to amend section 15 of an act entitled an act to enable the owners of lands to drain and reclaim them, etc., and declaring an emergency	O'Connor . . . .	Feb. 20 . .	Engrossed.
377	Feb. 4 . .	A bill for an act to amend sections 3369 and 3370, and to repeal section 3371, of the Revised Statutes of 1881, relating to the power and authority of Boards of Trustees of incorporated towns, and repealing pro tanto all laws in conflict therewith . . . . .	Gill . . . . .	Feb. 13 . .	Indefinitely postponed.
378	Feb. 5 . .	A bill for an act creating a commission with authority to sell certain lands of the State of Indiana, etc., and declaring an emergency . . . . .	Johnson of Madison . . . . .	Feb. 20 . .	Indefinitely postponed.
379	Feb. 5 . .	A bill for an act concerning elections and the taking of poll . . . . .	New . . . . .	Mar. 6 . .	House Bill No. 513 substituted for this bill and passed.
380	Feb. 5 . .	A bill for an act making it unlawful for any person to put up at or procure accommodation, food or entertainment at any hotel, inn or boarding house without paying for same, and providing penalties . . . . .	Bobilya . . . . .	Feb. 10 . .	Indefinitely postponed.



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL
381	Feb. 5 . .	A bill for an act authorizing the Trustees of Indiana University to dispose and have transfers of certain real estate and to invest the proceeds thereof, repealing all laws and parts of laws in conflict therewith, and declaring an emergency . . . . .	Duncan . . . . .	Feb. 27 . .	Signed by Governor.
382	Feb. 5 . .	A bill for an act to amend sections 1, 5, 6, 10 and 12 of an act relating to the establishment of a Superior Court in the county of Madison, etc., and declaring an emergency . . . . .	Johnson, by request. . . . .	Feb. 11 . .	Indefinitely postponed.
383	Feb. 5 . .	A bill for an act concerning attorneys' fees in claims filed against decedents' estates, and declaring an emergency . . . . .	Hogate . . . . .	Feb. 10	Indefinitely postponed.
384	Feb. 5 . .	A bill for an act to provide for the establishment of Boards of Education in each civil township, defining their powers, etc. . . . .	Ellison . . . . .	Feb. 11 . .	Indefinitely postponed.

385	Feb. 5 . .	A bill for an act to fix the salary of the Adjutant-General and Quartermaster-General and to provide for the appointment of a stenographer and typewriter by the Adjutant-General .	Gilbert . . . . .	Mar. 8 . .	Signed by Governor.
386	Feb. 8 . .	A bill for an act concerning street and sidewalk improvements in cities having less than 31,000 population, etc., and declaring an emergency . . . . .	Horner . . . . .	Feb. 24 . .	Committee reported favorably.
387	Feb. 8 . .	A bill for an act to require all corporations existing or claiming to exist under special charters to file notice of their existence with the Secretary of State, etc., and declaring an emergency . . . . .	Hubbell. . . . .	Feb. 13 . .	H. B. 287 substituted.
388	Feb. 8 . .	A bill for an act to amend section 32 of an act providing for the organization of county boards and defining their powers and duties . . . . .	Self. . . . .	Feb. 26 . .	Ordered engrossed
389	Feb. 8 . .	A bill for an act regulating visiting at the hospitals, etc., repealing all laws and parts of laws in conflict . . . . .	Shiveley . . . . .	Feb. 25 . .	Sent to House.
390	Feb. 8 . .	A bill for an act to amend section 10 of an act for the prevention of frauds and perjuries, etc . . . . .	LaFollette . . . . .	Mar. 8 . .	Signed by Governor.
391	Feb. 8 . .	A bill for an act to amend section 67 of the tax laws of 1891, and declaring an emergency . . . . .	LaFollette . . . . .	Feb. 26 . .	Engrossed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONCERN OF BILL.
392	Feb. 8 . .	A bill for an act to amend sections 3 and 4 of an act of 1895 amending tax laws of 1891, and declaring an emergency..	LaFollette. . . .	Feb. 22 . .	Ordered printed.
393	Feb. 8 . .	A bill for an act to regulate the business of telephone and stethophone companies, and declaring an emergency . .	Holler, by request.	Feb. 16 . .	Indefinitely postponed.
394	Feb. 8 . .	A bill for an act regulating the width of tires, etc. . . . .	Schneck . . . .	Feb. 25 . .	Failed to pass.
395	Feb. 8 . .	A bill for an act concerning the operation of railroads, prescribing penalties and declaring an emergency. . . . .	Schneck . . . .	Feb. 11 . .	Indefinitely postponed.
396	Feb. 8 .	A bill for an act authorizing cities within the State to purchase and control waterworks and declaring an emergency. . . . .	Schneck . . . .	Feb. 26 . .	Ordered engrossed.
397	Feb. 8 .	A bill for an act concerning the salaries of the Supreme Court, and to repeal all laws in conflict therewith . . . .	Early . . . . .	Feb. 8 . .	Referred to Committee on Fees and Salaries.

398	Feb. 8 . . .	A bill for an act concerning Justices of the Peace . . . . .	New . . . . .	Feb. 11 . .	Indefinitely postponed.
399	Feb. 8 . .	A bill for an act to amend section 1 of an act approved February 23, 1853, entitled an act to authorize railroad companies to consolidate railroad stock, etc., construct their roads on routes heretofore surveyed, etc., and declaring an emergency . . . . .	Gostlin. . . . .	Feb. 26 . .	Ordered engrossed.
400	Feb. 10	A bill for an act fixing the time of holding the courts in the Tenth Judicial Circuit, etc., and declaring an emergency. . . . .	Duncan . . . . .	Feb. 15 . .	Signed by Governor.
401	Feb. 10 . .	A bill for an act to provide for the better government, control and management and general supervision of the State Prisons at Michigan City and Jeffersonville, repealing all laws and declaring an emergency. . . . .	Gilbert . . . . .	Mar. 8 . .	Signed by Governor.
402	Feb. 10	A bill for an act providing for the impeachment and removal from office of public officers, etc., and declaring an emergency . . . . .	Watson . . . . .	Mar. 6 . .	House Bill No. 530 substituted for this bill and passed.
403	Feb. 10 . .	A bill for an act to provide for the satisfaction of the records of mortgages executed to the State of Indiana for the use of the common school fund, etc., and declaring an emergency . . . . .	Johnson . . . . .	Mar. 3 . .	Bill passed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
404	Feb. 10 . .	A bill for an act to create the office of Food and Dairy Commissioner of the State of Indiana, and repealing all conflicting laws . . . . .	Johnson of Madison . . . . .	Feb. 28 . .	Indefinitely postponed.
405	Feb. 10 . .	A bill for an act to legislate the incorporation of the town of Walcott, White County, Indiana, etc., and declaring an emergency . . . . .	O'Connor . . . . .	Mar. 8	Deposited with Secretary of State without Governor's signature.
406	Feb. 12 . .	A bill for an act to provide for greater purity of the ballots, etc., and declaring an emergency . . . . .	Shiveley, by request . . . . .	Mar. 3 . .	House Bill No. 564 substituted for this bill.
407	Feb. 12 . .	A bill for an act regulating the filing of mechanics' liens, etc., and declaring an emergency . . . . .	Ellison . . . . .	Feb. 16 . .	Bill recommitted to Committee on Judiciary for further action.
408	Feb. 12 . .	A bill for an act to legalize the incorporation of the city of East Chicago, etc., and declaring an emergency. . . . .	Goatlin . . . . .	Feb. 15 . .	Amended and reported favorably.
409	Feb. 12 . .	A bill for an act appropriating money to pay the claims of Theodore E. Brown, etc., and declaring an emergency . .	Hawkins . . . . .	Feb. 27 . .	Sent to House.

410	Feb. 12 . .	A bill for an act concerning County Commissioners and their compensation in counties containing an area of not less than 111 square miles, and declaring an emergency . . . . .	Hawkins . . . . .	Feb. 19 . .	Indefinitely postponed.
411	Feb 12 . .	A bill to regulate the sale of hay, grain, feed and other articles, etc., and declaring an emergency. . . . .	Nusbaum . . . . .	Feb. 12 . .	Referred to Committee on Corporations.
412	Feb. 12 . .	A bill for an act authorizing the appointment of shorthand reporters to take down in shorthand testimony given before grand juries of this State, and declaring an emergency. . . . .	Gilbert . . . . .	Feb. 20 . .	Amended and ordered engrossed.
413	Feb. 12 . .	A bill for an act concerning the paving of streets and alleys in cities and towns, etc., and declaring an emergency. . .	Early . . . . .	Mar. 6 . .	Signed by Governor.
414	Feb. 12 . .	A bill for an act to establish city courts in cities having a population of over 6,000 inhabitants, and repealing all conflicting laws . . . . .	Wood . . . . .	Feb. 16 .	Indefinitely postponed.
415	Feb. 12 .	A bill for an act concerning elections, providing penalties and repealing all laws in conflict . . . . .	Wood . . . . .	Feb. 12 . .	Referred to Committee on Judiciary.
416	Feb. 12 . .	A bill for an act for the more perfect auditing of moneys disbursed by the different departments of State government, and declaring an emergency. . . . .	Mull . . . . .	Mar. 6 . .	Signed by Governor.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
417	Feb. 12 . .	A bill for an act providing for a home- stead law, and repealing all laws in conflict . . . . .	Horner . . . . .	Feb. 16 . .	Indefinitely postponed.
418	Feb. 12 . .	A bill for an act to amend an act entitled an act to legalize certain sales of real estate by County Auditors, etc., and declaring an emergency. . . . .	Early . . . . .	Feb. 27 . .	Sent to House.
419	Feb. 12 . .	A bill for an act authorizing the Govern- ment to enter into a contract with Mi- chael Cain to place an electric light plant in the basement of the State House, etc, and declaring an emer- gency. . . . .	Duncan (by re- quest) . . . . .	Feb. 26 . .	Ordered engrossed.
420	Feb. 12	A bill for an act to legalize the incorpora- tion of the town of Ladoga, Mont- gomery County, Indiana, and declar- ing an emergency . . . . .	Gill. . . . .	Feb. 15 . .	Taken to House.
421	Feb. 13	A bill for an act concerning the incor- poration and government of cities having more than 35,000 and less than 49,000, etc., and declaring an emer- gency. . . . .	Gilbert . . . . .	Mar. 8 . .	Signed by Governor.

422	Feb. 13 . .	A bill for an act for the collection of city taxes by County Treasurers, providing compensation for County Auditors and Treasurers for services rendered, etc., and declaring an emergency. . . . .	Newby . . . .	Feb. 23 . .	Ordered engrossed.
423	Feb. 15 . .	A bill for an act to amend the law concerning public offenses and their punishment. . . . .	Shiveley . . . .	Feb. 26 . .	Ordered engrossed.
424	Feb. 15 . .	A bill for an act amending the drainage laws . . . . .	O'Connor . . . .	Feb. 26 . .	Committee reported favorably.
425	Feb. 15 . .	A bill for an act concerning the duties and compensations of county surveyors . . . . .	Wood . . . . .	Feb. 15 . .	Referred to Committee on Fees and Salaries.
426	Feb. 15 . .	A bill for an act to amend sections 3 and 4 of the election law of 1895 . . . .	Newby . . . . .	Mar. 8 . .	Signed by Governor.
427	Feb. 15 . .	A bill for an act requiring all policies and certificates of insurance to contain applications constitution, by-laws or other rules of the corporation, etc. . . . .	Johnson. . . . .	Feb. 15 . .	Referred to Committee on Insurance.
428	Feb. 16 . .	A bill for an act for the publication of all legal advertising in counties containing a city of more than 100,000 population, in daily newspapers, etc., and declaring an emergency. . . . .	Hawkins . . . .	Feb. 27 . .	Committee reported favorably.
429	Feb. 16 . .	A bill for an act to provide for the printing, indexing and binding this session's acts, etc. . . . .	Hogate . . . . .	Mar. 3 . .	Signed by Governor.



# SENATE BILLS—Continued.

No.	Date In'tro-duced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
430	Feb. 16 . .	A bill for an act for the relief of Robert Combs. . . . .	Ball. . . . .	Mar. 3 . .	Indefinitely postponed.
431	Feb. 16 . .	A bill for an act authorizing change of the boundaries of cities and towns, etc. . .	Ball. . . . .	Feb. 26 . .	Engrossed.
432	Feb. 16 . .	A bill for an act legalizing certain free gravel road bonds, etc. . . . .	Gostlin . .	Feb. 27 . .	Sent to House.
433	Feb. 16 . .	A bill for an act to prevent intimidation of voters, prescribing penalties, etc. .	Patten. . .	Feb. 16 . .	Referred to Committee on Elections.
434	Feb. 16 . .	A bill for an act concerning drainage . .	Horner . . .	Mar. 8	Failed to pass over Governor's veto.
435	Feb. 17 .	A bill for an act abolishing contract labor in the State prisons and establishing the public account system, etc., and declaring an emergency. . . . .	Johnson. . . . .	Feb. 24 . .	Ordered printed.
436	Feb. 18 . .	A bill for an act concerning the incorporation and government of cities having more than 35,000 and less than 49,000 population, amending sections 67 and 77 of said act, and declaring an emergency . . . . .	LaFollette. . .	Feb. 26 . .	Ordered engrossed.

437	Feb. 18 .	A bill for an act relating to gravel roads, making them free, repealing all laws in conflict, and declaring an emergency . . . . .	Watson (by request) . . . .	Feb. 23 . .	Indefinitely postponed.
438	Feb. 18 . .	A bill for an act concerning the levy of taxes to pay bonds issued to raise means to construct free turnpikes or gravel roads . . . . .	Humphreys . . .	Mar. 5 . .	Signed by Governor.
439	Feb. 18 .	A bill for an act to authorize the Board's of Commissioners in this State to purchase toll roads in their respective counties, etc., making all toll roads free . . . . .	Gochenour. . . .	Feb. 23 . .	Indefinitely postponed.
440	Feb. 18 . .	A bill for an act to dis-annex certain lands and territory from the city of Hammond, and declaring an emergency . . . . .	Hubbell . . . .	Mar. 3	Indefinitely postponed.
441	Feb. 18 . .	A bill for an act relating to the manner in which evidence given in any civil or criminal cause may become a part of the record upon appeal to the Supreme Court, and declaring an emergency . . . . .	Early . . . . .	Mar. 8 . .	Signed by Governor.
442	Feb. 19 . .	A bill for an act to provide for the incorporation of street railroad companies in cities of 100,000 or more, and declaring an emergency . . . . .	Hugg . . . . .	Mar. 8 . .	Signed by Governor.
443	Feb. 19 . .	A bill for an act to license telegraph operators, and declaring an emergency .	Shea . . . . .	Feb. 19 . .	Referred to Committee on Judiciary.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
444	Feb. 20 . .	A bill for an act relating to the better government, management, control and Central for In- sane, Eastern Hospital for Insane, etc., and declaring an emergency . . . . .	Newby . . . . .	Mar. 3 . .	Passed by House.
445	Feb. 20 . .	A bill for an act providing for the assess- ment and collection of certain taxes for the completion of the State Sol- diers' and Sailors' Monument, etc., and declaring an emergency.	Leich . . . . .	Feb. 26	Ordered engrossed.
446	Feb. 20 .	A bill for an act providing for the repair and extension of certain wagon bridges	Holler (by request)	Feb. 26 . .	Ordered engrossed.
447	Feb. 20 . .	A bill for an act concerning the practice in certain cases. . . . .	LaFollette. . . . .	Feb. 26 . .	Committee report favorable.
448	Feb. 20	A bill for an act requiring railroad com- panies to make safe their right of way, etc., and declaring an emergency. . .	Holler. . . . .	Feb. 26	Ordered engrossed.

449	Feb. 22 . .	A bill for an act for the protection of human life, prohibiting theft of electricity, providing a penalty and declaring an emergency . . . . .	Early . . . . .	Feb. 26 . .	Engrossed.
450	Feb. 22 . .	A bill for an act appropriating \$179.20 for Fred Harting . . . . .	Hawkins (by request). . . . .	Feb. 22 . .	Referred to Committee on Claims and Expenditures.
451	Feb. 22 . .	A bill for an act to legalize certain settlements heretofore made by the Boards of County Commissioners, with County Treasurers, and declaring an emergency . . . . .	Johnson (by request). . . . .	Mar. 8 . .	Failed to pass over Governor's veto.
452	Feb. 22 . .	A bill for an act to amend section one (1) of an act for the encouragement of agriculture, etc, and declaring an emergency . . . . .	Hogate . . . . .	Feb. 26 . .	Ordered engrossed.
453	Feb. 23 . .	A bill for an act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons, etc., and declaring an emergency	O'Brien (by request). . . . .	Feb. 23 . .	Referred to Committee on Judiciary.
454	Feb. 23 . .	A bill for an act providing for the conveyance to and from insane hospitals of insane females, providing female attendants, and declaring an emergency	Collett . . . . .	Feb. 24 . .	Reported favorable.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
455	Feb. 23 . .	A bill for an act directing the restoration to the swamp land fund of certain sums of money received into the State Treasury from the sale of swamp lands, etc., to pay for the work of improving the Kankakee River . . . . .	Gostlin . . . .	Feb. 23 . .	Referred to Committee on Swamp Lands and Drains.
456	Feb. 24 . .	A bill for an act for the protection of human life, prohibiting the theft of steam power, etc., fixing penalties, and declaring an emergency. . . . .	Early . . . . .	Feb. 26 . .	Ordered engrossed.
457	Feb. 24 . .	A bill for an act to amend an act concerning taxation, and declaring an emergency. . . . .	Early . . . . .	Mar. 2 . .	Committee report favorable.
458	Feb. 24 . .	A bill for an act providing for voluntary assignments of personal and real property in trust, amending section 1, etc., and declaring an emergency. . . . .	Stroup . . . . .	Mar. 8 . .	Signed by Governor.
459	Feb. 24 . .	A bill for an act to empower the common councils of cities having more than 50,000 and less than 100,000 population to regulate the salary of all elective and appointive officers, etc., and declaring an emergency . . . . .	Leich . . . . .	Mar. 5 . .	Committee reported favorably.

460	Feb. 24 . .	A bill for an act to amend section 146 of an act concerning the incorporation and government of cities having more than 50,000 and less than 100,000 population, etc. . . . .	Leich (by request)	Mar. 5 . .	Indefinitely postponed.
461	Feb. 24	A bill for an act to authorize Boards of Commissioners to issue bonds to build court houses, etc., and declaring an emergency . . . . .	Holler (by request)	Mar. 4 . .	Amendments by House concurred in by Senate.
462	Feb. 24 . .	A bill for an act fixing the times of holding courts in the Seventh Judicial Circuit of the State of Indiana, etc. . .	Johnston . . .	Mar. 8 . .	Signed by Governor.
463	Feb. 24	A bill for an act concerning County Commissioners in certain counties, and declaring an emergency. . . . .	Hawkins . . . .	Feb. 24 . .	Taken to House.
464	Feb. 25 . .	A bill for an act concerning the incorporation and government of cities having more than one hundred thousand population, etc., and declaring an emergency . . . . .	Hugg . . . . .	Feb. 26 . .	Committee report favorable.
465	Feb. 25 . .	A bill for an act for the appointment of three commissioners by the Governor to inquire into the judicial system of the State, etc., and declaring an emergency . . . . .	Holler (by request)	Mar. 5 . .	Committee report favorable.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
466	Feb. 25	A bill for an act to amend sections 3 and 4 of an act to authorize the Boards of Commissioners of the several counties in this State to purchase the toll roads and make 9, 1895, .....	Newby . . . . .	Feb. 25 . .	Referred to Committee on Judiciary.
467	Feb. 25 . .	A bill for an act authorizing the payment of John Dewaine, of Henry County, Ind., for the death of his son Michael Dewaine, caused by the explosion of natural gas at the Soldiers' and Sailors' Home, near Knights- d making an appropriation . . . . .	Newby (by request)	Feb. 25 . .	Referred to Committee on Claims and Expenditures.
468	Feb. 26 . .	A bill for an act concerning the qualification of County Superintendents . .	Goodwine . . . .	Feb. 26 . .	Committee report favorable.
469	Feb. 26 . .	A bill for an act concerning County Commissioners, regulating the terms of office thereof, and declaring an emergency . . . . .	Gilbert . . . . .	Mar. 1 . .	Taken to House.

470	Feb. 26 . .	A bill for an act to establish a Superior Court in the County of Madison, etc., amending section 10 of an act, and declaring an emergency. . . . .	Johnson. . . . .	Feb. 27 . .	Sent to House.
471	Feb. 27 . .	A bill for an act to amend section one of an act providing for the appointment of Probate Commissioners, etc., and declaring an emergency. . . . .	Hubbell. . . . .	Mar. 8 . .	Signed by Governor.
472	Feb. 27	A bill for an act to amend section 8 of the act establishing a State Board of Health . . . . .	Gilbert(by request)	Feb. 27 . .	Referred to Committee on Public Health.
473	Feb. 27 . .	A bill for an act providing for the better protection of railway employes and others, etc., and declaring an emergency. . . . .	New (by request) .	Feb. 27 . .	Referred to Committee on Railroads.
474	Mar. 1	A bill for an act to establish the office of County Assessor, etc., and repealing all laws in conflict . . . . .	Self. . . . .	Mar. 3 . .	Committee report favorable.
475	Mar. 1 . .	A bill for an act governing the intersec-tions of sewers in cities of less than 35,000, etc., and declaring an emer-gency. . . . .	Wood . . . . .	Mar. 5 . .	Committee report favorable.
476	Mar. 1 . .	A bill for an act to amend section one of an act entitled "An act concerning bank officers, brokers, etc., receiving deposits after insolvency, etc.," and declaring an emergency. . . . .	Hugg, by request .	Mar. 1	Referred to Committee on Judiciary.



# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER	Author.	Date of Last Action.	CONDITION OF BILL.
477	Mar. 3 . .	A bill for an act in relation to the Clerks and Sheriffs of the Circuit Courts, etc., and declaring an emergency . . . .	Shea . . . . .	Mar. 3 . .	Constitutional rule suspended and bill passed.
478	Mar. 3 .	A bill for an act fixing the times for holding court in the Forty-first Judicial Circuit of the State of Indiana . . .	Drummond . . .	Mar. 3 . .	Referred to Committee on Judiciary.
479	Mar. 4 . .	A bill for an act in regard to taxation. .	Goar . . . . .	Mar. 6 . .	Ordered printed.

# SENATE CONCURRENT RESOLUTIONS.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
1	Jan. 12 . .	A concurrent resolution relative to Cuban independence . . . . .	Patten . . . . .	Jan. 12 . .	Referred to Committee on Federal Relations.
2	Jan. 12 . .	A concurrent resolution relative to Railway Postal Clerks, Carriers and Post-office Clerks . . . . .	Hawkins . . . . .	Jan. 21 . .	Adopted by House.
3	Jan. 12 . .	A concurrent resolution relative to the election of United States Senators by a direct vote of the people . . . . .	Holler . . . . .	Jan. 12 . .	Minority report adopted.
4	Jan. 14 . .	A concurrent resolution relative to the appointment by the Governor of a committee to visit and inspect the Southern Hospital for Insane, situated near Evansville . . . . .	Collett . . . . .	Jan. 14 . .	Adopted.
5	Jan. 16 . .	A concurrent resolution relative to allowing the city of Indianapolis to use for a park and take possession of the ground lying north of the Institution for the Education of the Deaf and Dumb, situated in the city of Indianapolis, the same to be beautified, etc., at the expense of the city of Indianapolis, and the title to remain in the State . . . . .	Hawkins . . . . .	Jan. 29 . .	Indefinitely postponed.

# SENATE CONCURRENT RESOLUTIONS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
6	Jan. 19 . .	A concurrent resolution requesting the Auditor of the State to furnish for the information of the General Assembly a statement showing the gross amount of moneys received from the sale of swamp lands under the act of 1883, page 170, and the acts of 1889, pages 221 and 307, relating to the sale of such lands . . . . .	Holler. . . . .	Jan. 19 . .	Passed House January 16, 1897.
7	Jan. 21 . .	A concurrent resolution coming biennially of Pythias, to be in August, 1898, the use of the Houses and other rooms in the State House not in use for committee rooms, etc., and the use of any unoccupied tract or tracts of land belonging to the State in or adjacent to the city of Indianapolis to the military branch of said order, same not exceeding a period of three weeks . . . . .	Shiveley. . . . .	Jan. 27 . .	Adopted by House.

8	Jan. 21 . . .	A concurrent resolution relating to Board of County Commissioners holding a meeting in Indianapolis to discuss the interests of the mode of trial to adopt plans for the betterment of the transaction of the affairs of their several counties. . . . .	Watson . . . . .	Jan. 21 . . .	Lost.
9	Feb. 1	A concurrent resolution relating to the appointment of a commission consisting of State , whose duty is either public or ground north of the Institution for the Education of the Deaf and Dumb, belonging to the State of Indiana . . . . .	Johnson of Madison . . . . .	Feb. 5 . . .	Indefinitely postponed.
11	Mar. 8	A concurrent resolution relating to certain privileges granted to Captain H. O'Brien in the State House, etc . . . . .	New . . . . .	Mar. 8 . . .	Vetoed by Governor.
12	Mar. 8	A concurrent resolution relating to the erection of a monument to Oliver P. Morton, late Governor of Indiana, on the State House grounds, etc. . . . .	Self . . . . .	Mar. 8 . . .	Adopted by Senate and House, and signed by Governor March 8, 1897.

# HOUSE BILLS IN SENATE.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
1	Jan. 11	A bill for an act appropriating one hundred thousand dollars to defray the expenses of the Sixteenth General Assembly, and declaring an emergency.	Thomas . . . .	Jan. 13 . .	Constitutional rules suspended and passed; amendments concurred in by House.
182	Jan. 11 . .	A bill for an act to legalize the official acts of minors acting as deputies to any public officers, and declaring an emergency . . . . .	Morris of Floyd .	Feb. 26 . .	Bill passed.
214	Jan. 11 .	A bill for an act to legalize the incorporation of the town of Poneto, Ind., and declaring an emergency . . . . .	Eichhorn . . . .	Feb. 12 . .	Returned to House.
306	Jan. 11 .	A bill for an act making it the duty of County officers to execute papers for the purpose of procuring pensions, bounties, back pay and prize money for soldiers and seamen, their widows and orphans, free of charge, repealing all laws in conflict herewith and declaring an emergency . . . . .	Hedgcock . . . .	Jan. 21 .	Constitutional rules suspended and bill as amended passed.
160	Jan. 14 . .	A bill for an act to fix the time of holding court in the Twentieth Judicial Circuit in the State of Indiana . . . . .	Titus . . . . .	Jan. 14 . .	Constitutional rules suspended and passed.

171	Jan. 16 . . .	A bill for an act to legalize the incorporation of the town of Keystone, Wells County, Indiana, and declaring an emergency. . . . .	Eichhorn . . . .	Feb. 3 . .	Returned to House.
351	Jan. 25 . .	A bill for an act to legalize the municipal elections, the organization and official acts of the several Boards of Trustees and all other officials of the town of Mauckport, Harrison County, Ind., etc., and declaring an emergency. . . .	O'Bannon .	Feb. 11 . .	Bill passed Senate.
22	Jan. 25 . .	A bill for an act to establish a Superior Court in the county of Grant, to define its jurisdiction to provide for the a Judge, laring an emergency . . . . .	Payne.	Jan. 28 . .	Bill passed Senate.
343	Jan. 25 . .	A bill for an act to require the Terre Haute & Richmond R. R. and the Terre Haute & Indianapolis R. R. to furnish the Legislature with a statement setting forth certain facts, etc. .	Spooner . . . .	Jan. 25 . .	Constitutional rule suspended and bill passed.
115	Jan. 25 . .	A bill for an act prescribing certain powers of incorporated cities . . . . .	Bishop . . . . .	Feb. 26	Passed Senate.
96	Jan. 23 . .	A bill for an act for the regulation of weights and measures. approved March 9, 1885, section thereto, and de- claring an emergency. . . . .	Smith of Allen .	Feb. 4 . .	Passed by Senate.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
367	Jan. 27 . .	A bill for an act appropriating the sum of \$358 to reimburse Claude Matthews for expenses as Governor of Indiana at the dedication of the Chickamauga and Chattanooga National Military Park, 1895 . . . . .	Smith, Tippecanoe	Feb. 3 . .	Bill passed Senate.
32	Jan. 27 . .	A bill for an act to divide the State into Circuits for Judicial purposes, fixing the time of holding courts therein, abolishing the Court of Common Pleas, etc., and declaring an emergency . .	Nicholson . . . .	Jan. 27 . .	Bill substituted for Senate Bill No. 18; rules suspended, bill passed.
49	Jan. 27 . .	A bill for an act appropriating money for the payment of the claims of the Western Paving and Supply Company for paving . . . . .	Hicks . . . . .	Feb. 13 . .	Returned to House.
189	Jan. 27 . .	A bill for an act appropriating money for the claim of Dumand Mandick, heretofore assigned to August M. Kuhn, for paving with cement the sidewalks in front of the ground of the Institution for the Deaf and Dumb . . . .	Hicks . . . . .	Mar. 2 . .	Bill passed Senate.

133	Jan. 27 . .	A bill for an act to reappropriate the sum of \$8,421 to complete the work of the Indiana Chickamauga Park Commission . . . . .	Stetler . . . . .	Feb. 4 . .	Constitutional rules suspended and passed.
400	Jan. 28 . .	A bill for an act concerning public offenses and their punishment, repealing all laws and parts of laws in conflict, and declaring an emergency . . . . .	Littleton	Feb. 11 . .	Indefinitely postponed.
188	Jan. 28 . .	A bill for an act to incorporate the town of Irvington, in Marion County, Indiana, and declaring an emergency . .	Elliott . . . . .	Feb. 3 . .	Returned to House.
190	Jan. 28 . .	A bill for an act appropriating money for the payment of the claim of F. M. Snyder & Co., heretofore assigned to August M. Kuhn, for paving . . .	Hicks . . . . .	Mar. 3 . .	Bill passed.
15	Jan. 28 . .	A bill for an act to provide a committee to visit penal, benevolent and educational recom: to the Genera . . .	Roots . . . . .	Feb. 2 . .	Bill passed Senate.
177	Jan. 28 . .	A bill for an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency . . . . .	East . . . . .	Feb. 16 . .	Returned to House.



# HOUSE BILLS IN SENATE--Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
103	Jan. 29 . .	A bill for an act for the relief of Henderson Dunkle of Carroll County, Indiana, to authorize and direct the Governor to issue to him a patent for certain real estate, and relinquishing the claims of the State of Indiana to said real estate . . . . .	Clouser . . . . .	Feb. 26 . .	Passed Senate.
63	Jan. 29 . .	A bill for an act to amend section two of an act concerning highways and Supervisors thereof, approved March 2, 1883, and declaring and emergency . . . .	Canada . . . . .	Mar. 4 . .	Read second time.
105	Feb. 1 . . .	A bill for an act designating who may solemnize marriage . . . . .	Kayser . . . . .	Mar. 2 . .	Bill passed Senate.
312	Feb. 1 . .	A bill for an act to legalize the town of Greenville, Floyd County, Indiana . .	Morris . . . . .	Feb. 4 . .	Passed Senate.
167	Feb. 2 . .	A bill for an act prohibiting the manufacture and sale of cigarettes and cigarette paper, etc . . . . .	Reynolds . . . . .	Mar. 1 . .	Bill passed. .

424	Feb. 3 . .	A bill for an act to legalize the joint session of the Board of County Commissioners of Knox County and Sullivan County on the 12th day of December, 1895 . . . . .	Willoughby . . .	Feb. 11 . .	Passed Senate.
199	Feb. 3 . .	A bill for an act to compel Boards of Commissioners of counties where orphanans' homes are maintained to keep destitute and orphan children at orphan homes, etc . . . . .	Canada . . . . .	Mar. 3 . .	Indefinitely postponed.
120	Feb. 4 . .	A bill for an act providing for the discharge of prisoners from State prisons, making an appropriation to carry the same in effect, repealing all laws in conflict therewith and declaring an emergency . . . . .	Willoughby . . .	Feb. 26 . .	Amended and passed.
87	Feb. 4 . .	A bill for an act repealing section 3 of an act entitled an act to provide for the wording of wills and order of court in certain cases, approved March 9, 1891, and declaring an emergency. . . . .	Eichhorn . . . . .	Mar. 1 . .	Passed Senate.
430	Feb. 4 . .	A bill for an act to legalize the incorporation of the town of Andrews, in the county of Huntington, State of Indiana, etc., and declaring an emergency.	Hart of Huntington. ton. . . . .	Feb. 13 . .	Returned to House.
58	Feb. 4 . .	A bill for an act providing for attorney's fees when a mechanic, artisan, miner, laborer, servant or employe sues for wages. . . . .	Sutton. . . . .	Feb. 11 . .	Indefinitely postponed.

# HOUSE BILLS IN SENATE--Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
244	Feb. 4 . .	A bill for an act to prevent the clipping of horses at certain times and seasons of the year . . . . .	McCrea . . . . .	Feb. 16 . .	Indefinitely postponed.
36	Feb. 5 . .	A bill for an act to provide for a revision of the laws of the State of Indiana relative to municipal corporations, including counties, civil and school townships, cities and towns, and declaring an emergency. . . . .	Linck. . . . .	Mar. 3 . .	Bill failed to pass.
77	Feb. 5 . .	A bill for an act to prohibit the assessment to the adjacent property holders of real estate occupied by any railroad company or public highways, repealing all laws in conflict, and declaring an emergency . . . . .	Remington . . . .	Mar. 1 . .	Bill passed Senate.
97	Feb. 5 . .	A bill for an act to prevent the destruction of quail, ruffed grouse and pinnated grouse . . . . .	Ryan . . . . .	Mar. 1 . .	Bill passed Senate.

73	Feb. 5 . .	A bill for an act to provide for the trans- action of business in cases of vacancy in the office of Judge, or in case of the inability or disqualification of Judge to act, and declaring an emergency. .	Lambert . . . .	Feb. 11 . .	Indefinitely postponed.
479	Feb. 8	A bill for an act to establish Superior Courts in the counties of Grant and Howard, etc., and declaring an emer- gency. . . . .	Shideler. . . . .	Feb. 8 . .	Constitutional rule suspended and bill passed.
510	Feb. 8 . .	A bill for an act authorizing the con- demnation and purchase of land and rights of way for disposition of sewage for State institutions, etc., and declar- ing an emergency. . . . .	Harris . . . . .	Mar. 4 . .	Bill passed.
277	F.b. 8 . .	A bill for an act to amend section one of an act to provide for the general sys- tem of common schools, the officers thereof and their respective powers, etc., and declaring an emergency . .	Rifenburg. . . . .	Feb. 26 . .	Bill passed.
486	Feb. 8 . .	A bill for an act to legalize the acts of Civil Cemetery Association of Spice- land, Ind., and declaring an emergency	Elliott . . . . .	Feb. 20 . .	Read second time.
127	Feb. 8 . .	A bill for an act defining the Fifth Judi- cial Circuit of the State of Indiana, etc., and declaring an emergency . .	Linck . . . . .	Mar. 4 . .	Constitutional rules suspended and bill passed.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
275	Feb. 8 . .	A bill for an act to amend section 142 of an act concerning taxation, repealing all laws in conflict and declaring an emergency . . . . .	Littleton . . . .	Mar. 2 .	Bill passed.
44	Feb. 8 . .	A bill for an act concerning civil process, and declaring an emergency . . .	Wair . . . . .	Mar. 2 . .	Amended and passed.
315	Feb. 8 . .	A bill for an act to amend an act providing for the release of mortgages, etc.	Hart of Hunt'gt'n	Feb. 8 . .	Referred to Committee on Judiciary.
290	Feb. 8 . .	A bill for an act authorizing incorporated towns to own and control water works, etc. . . . .	Hall . . . . .	Mar. 6 .	Bill passed.
209	Feb. 9 . .	A bill for an act to provide for building of flood gates in ditches, etc . . . .	Kratz . . . . .	Feb. 20 . .	Read second time.
150	Feb. 9 . .	A bill for an act to continue school fund loans in certain cases . . . . .	James. . . . .	Feb. 9 . .	Indefinitely postponed.
144	Feb. 9 . .	A bill for an act to regulate the duties of County Surveyors . . . . .	Brown. . . . .	Mar. 1 . .	Bill passed.

224	Feb. 9 . .	A bill for an act concerning hauling of heavy loads over gravel roads at certain periods of the year . . . . .	Remington . . .	Mar. 2	Bill failed to pass.
153	Feb. 9 .	A bill for an act authorizing cities to survey and plat unplatted land . . . .	Canada . . . . .	Mar. 2 . .	Indefinitely postponed.
245	Feb. 9	A bill for an act providing for the election and qualification of Justices of the Peace . . . . .	Blankenship . . .	Mar. 2 . .	Bill passed.
142	Feb. 9 .	A bill for an act relating to practice in libel and slander suits . . . . .	Blankenship . . .	Mar. 2 . .	Bill passed.
526	Feb. 9 .	A bill concerning appeals taken from Supreme and Appellate Courts, etc., and declaring an emergency . . . . .	East . . . . .	Mar. 4 . .	Constitutional rules suspended and bill passed.
247	Feb. 9 . .	A bill for an act to amend section 7 of an act concerning landlord and tenant . .	Thomas . . . . .	Mar. 1 . .	Second reading.
187	Feb. 9 . .	A bill for an act to legalize municipal elections, terms of office, etc., and declaring an emergency. . . . .	Rifenburg . . . .	Feb. 22 . .	Constitutional rules suspended and bill passed.
110	Feb. 9 . .	A bill for an act to legalize the acts of Notary Publics. . . . .	McCart . . . . .	Mar. 2 . .	Bill passed.
196	Feb. 9 .	A bill for an act to amend section 13 of an act concerning voluntary assignments of personal and real property .	James . . . . .	Feb. 20 . .	Read second time.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
195	Feb. 9 . .	A bill for an act to provide for the publication of Township Trustees' reports	McCart . . . . .	Mar. 1 . .	Read second time.
231	Feb. 9 . .	A bill for an act to amend section thirty-one of an act concerning taxation . .	Barlow . . . . .	Feb. 28 . .	Passed Senate.
147	Feb. 11 . .	A bill for an act enlarging the duties of Trustees for incorporated towns . . .	Sutton . . . . .	Mar. 3 . .	Passed.
246	Feb. 11 . .	A bill for an act introducing a new mathematical truth . . . . .	Record . . . . .	Feb. 11 . .	Further consideration of bill indefinitely postponed.
441	Feb. 11 . .	A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same, etc.	Littleton . . . . .	Feb. 22 . .	Sent back to House.
433	Feb. 11 . .	A bill for an act to legalize certain bonds issued by the city of Jeffersonville . .	Graham . . . . .	Feb. 24 . .	Returned to House.
128	Feb. 11 . .	A bill for an act to amend section 13 of an act to construct plank, macadam or gravel roads . . . . .	Linck . . . . .	Feb. 23 . .	Indefinitely postponed.
111	Feb. 11 . .	A bill for an act creating a labor commission . . . . .	Roose . . . . .	Mar. 2 . .	Passed.

264	Feb. 15 . .	A bill for an act for the protection of owners and keepers of hotels, inns, eating houses, etc., and declaring an emergency . . . . .	Ross . . . . .	Mar. 1 . .	Bill passed.
249	Feb. 15 . .	A bill for an act concerning the cutting down and destroying of briars, thistles, weed, etc . . . . .	Sutton . . . . .	Mar. 1 . .	Bill passed.
366	Feb. 16 . .	A bill for an act compelling owners of coal mines to make maps of mines, etc., and declaring an emergency . . .	Berry . . . . .	Mar. 6 . .	Constitutional rule suspended and bill passed.
236	Feb. 16 . .	A bill for an act providing for recording leases of real estate. . . . .	Babcock. . . . .	Mar. 2 . .	Bill passed.
387	Feb. 17 . .	A bill for an act to amend section 10 of an act concerning ferries . . . . .	Gibson . . . . .	Feb. 26 . .	This bill was substituted for Senate Bill 287, and passed Senate.
287	Feb. 17 . .	A bill for an act to confirm and make valid sales of real estate in the State of Indiana made by trustees and by domestic and foreign executions and administration. . . . .	Smith, of Tippecanoe . . . . .	Feb. 19 . .	Committee report favorable.
337	Feb. 17 . .	A bill for an act to prevent the destruction of certain wild game . . . . .	Sence . . . . .	Feb. 24 . .	Committee report favorable.
93	Feb. 17 . .	A bill for an act to amend section 2 of an act entitled an act concerning liens of mechanics, laborers and material men, and declaring an emergency . . . . .	Hedgcock . . . . .	Feb. 17 . .	Referred to Committee on Judiciary.



# HOUSE BILLS IN SENATE--Continued.

No.	Date Introduced.	SUBJECT MATTER.	Aut <sup>r</sup> or.	Date of Last Action.	CONDITION OF BILL.
198	Feb. 17 . .	A bill for an act relating to conveyances of land by wives of persons of unsound mind, habitual drunkards and minors under certain cases . . . . .	Canada . . . . .	Feb. 26 . .	Indefinitely postponed.
213	Feb. 17	A bill for an act concerning preferences by private corporations . . . . .	Eichhorn . . . . .	Feb. 17 . .	Referred to Committee on Judiciary.
480	Feb. 17	A bill for an act to limit the powers of Township Trustees in incurring debts, prohibiting the issuance of township warrants when there is no money to the credit of the separate fund, etc . .	Roots . . . . .	Mar. 1 . .	Bill failed to pass.
230	Feb. 12 . .	A bill for an act appropriating \$1,897.20 to pay the claims of Wm. H. Peters for the construction of certain sidewalks . . . . .	Marsh . . . . .	Mar. 2	Bill passed.
540	Feb. 12 . .	A bill for an act defining the Fifth and Seventh Judicial Circuit of the State of Indiana, and declaring an emergency . . . . .	Linck . . . . .	Feb. 22 . .	Constitutional rules suspended and bill passed.

181	Feb. 18 . .	A bill for an act to amend section 22 of an act concerning enclosures . . . .	Goddard . . . .	Mar. 3 . .	Bill failed to pass.
580	Feb. 18 . .	A bill for an act to amend sections 152 and 227 of an act entitled "An act concerning taxation" . . . . .	Barlow . . . . .	Mar. 4 . .	Bill recalled from Governor.
579	Feb. 18 . .	A bill for an act to provide for the incorporation of railroad companies, etc .	Henderson . . . .	Feb. 18 . .	Bill passed Senate.
581	Feb. 18 . .	A bill for an act to legalize free gravel road bonds issued in certain cases, etc	Rifenburg . . . .	Mar. 5 . .	Bill passed.
88	Feb. 18 . .	A bill for an act fixing time for elections in incorporated towns . . . . .	Weiner . . . . .	Feb. 18 . .	Committee report favorable.
495	Feb. 18 . .	A bill for an act to provide for the appointment and compensation of Custodian of Public Buildings and Property, etc. . . . .	Jones . . . . .	Feb. 26 . .	Bill passed.
239	Feb. 19 . .	A bill for an act relating to the establishment of a Board of Pharmacy . . .	Littleton . . . . .	Mar. 2 . .	Passed Senate.
539	Feb. 19 . .	A bill for an act to provide for the better government, control, management and general supervision of the State prisons at Michigan City and Jeffersonville . . . . .	Willoughby . . . .	Feb. 19 . .	Referred to Committee on Prisons.

# HOUSE BILLS IN SENATE—Continued.

No	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
206	Feb. 19 . .	A bill for an act to regulate the employment of women and children in factories . . . . .	Jernegan . . . . .	Feb. 23 . .	Taken to House.
186	Feb. 19 . .	A bill for an act to declare unlawful and void all arrangements and contracts made to lessen free competition . . . .	Linck . . . . .	Mar. 3 . .	Bill passed.
596	Feb. 19 . .	A bill for an act to amend section 23 of an act to incorporate the Terre Haute & Richmond Railroad Company, approved January 26, 1847, and declaring an emergency . . . . .	Henderson. . . . .	Feb. 19	Rules suspended and bill passed.
496	Feb. 20 . .	A bill for an act providing for the reinvestment of funds belonging to the Indiana State University . . . . .	Blankenship. . . . .	Feb. 26 . .	Passed and sent back to House.
241	Feb. 22 . .	A bill for an act appropriating money for the payment of the claim of John Kennington . . . . .	Hicks . . . . .	Feb. 22 . .	Referred to Committee on Claims and Expenditures.
74	Feb. 22 . .	A bill for an act to amend section 14 of an act entitled an act touching the relation of guardian and ward, etc., and declaring an emergency . . . . .	Jernegan . . . . .	Mar. 1 . .	Read second time.

300	Jan. 21 . .	A bill for an act fixing the venue of the offense of criminal provocation . . .	Smith of Allen . .	Mar. 2 . .	Bill passed.
114	Jan. 14 . .	A bill for an act to amend section 11 of an act of the General Assembly concerning taxation . . . . .	Morris . . . . .	Mar. 4 . .	Bill passed.
157	Jan. 14	A bill for an act to amend section 2 of an act to require railroad companies to give notice at stations whether passenger trains are on schedule time . .	Sutton . . . . .	Mar. 4 . .	Bill passed.
217	Jan. 18 . .	A bill for an act concerning taxation for turnpike and gravel-road purposes . .	East . . . . .	Feb. 26 . .	Committee report favorable.
104	Jan. 14 . .	A bill for an act providing for election of Township Trustees . . . . .	Kayser . . . . .	Feb. 26 . .	Indefinitely postponed.
237	Jan. 18 . .	A bill for an act providing for the release of mortgages, and legalizing leases . .	Babcock . . . . .	Mar. 2	Bill passed.
542	Feb. 12 . .	A bill for an act concerning building and loan associations, and repealing all laws and parts of laws in conflict therewith . . . . .	Peckinpaugh . . .	Mar. 2 .	Constitutional rules suspended and bill passed.
125	Jan. 14 . .	A bill for an act providing for the re-locating of county seats . . . . .	Archibald . . . . .	Mar. 3 . .	Indefinitely postponed.
511	Feb. 8 . .	A bill for an act to fix the terms of city officers, etc. . . . .	Hart . . . . .	Mar. 2 . .	Indefinitely postponed.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
76	Jan. 13 . .	A bill for an act regulating the taxing of dogs for the protection of sheep, etc., and fixing penalties, and declaring an emergency. . . . .	Remington. . . .	Mar. 4 . .	Bill passed.
503	Feb. 6 . .	A bill for an act concerning the taxation of certain lands and other property within the limits of cities and towns, etc . . . . .	Elliott of Washington	Feb. 24 . .	Referred to Committee on Judiciary.
544	Feb. 13 . .	A bill for an act to repeal an act entitled an act to fix the number of Senators and Representatives to the General Assembly, etc . . . . .	Littleton . . . .	Mar. 3 . .	Bill passed.
549	Feb. 13 . .	A bill for an act defining the Forty-second Judicial Circuit of the State of Indiana, and fixing the time of holding courts within . . . . .	Monyhan . . . .	Mar. 3 . .	Constitutional rules suspended and bill passed.
584	Feb. 24 . .	A bill for an act to legalize the actions of Boards of Commissioners, etc., and declaring an emergency . . . . .	Willoughby . . . .	Mar. 2 . .	Bill passed.

597	Feb. 26 . .	A bill for an act to provide a general system of common schools, the officers thereof and their respective powers and duties, etc., and declaring an emergency. . . . .	Barlow . . . . .	Mar. 6 . .	Bill passed.
342	Feb. 27 . .	A bill for an act to amend section 1 of an act, approved April 10, etc., to amend section 1, etc., of an act concerning the incorporation of towns . . . . .	Thomas . . . . .	Mar. 3 . .	Indefinitely postponed.
152	Feb. 27 . .	A bill for an act to regulate the sale of tobacco to children . . . . .	Canada . . . . .	Mar. 3 . .	Amended and reported favorably.
489	Feb. 25 . .	A bill for an act regarding tax of townships for construction of railroads changing 2 per cent. levy to 1 per cent.	Shideler . . . . .	Mar. 5 . .	Indefinitely postponed.
388	Feb. 25 . .	A bill for an act providing for a revision of the statute laws of this State . . .	Thomas . . . . .	Mar. 4 . .	Indefinitely postponed.
450	Feb. 25 . .	A bill for an act to amend an act to incorporate the Indiana Cotton Mills, etc	Gibson . . . . .	Feb. 27 . .	Returned to House.
126	Feb. 26 . .	A bill for an act to amend section 5929 of the Revised Statutes of 1881 concerning the duties of County Treasurers .	Archibald . . .	Mar. 4 . .	Read second time.
295	Feb. 26 . .	A bill for an act to regulate the taxing of bonds, notes, mortgages and other promises to pay money . . . . .	Brown . . . . .	Feb. 26 . .	Referred to Committee on Judiciary.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
484	Feb. 26 . .	A bill for an act to amend an act entitled an act providing for the tiling of public drains that have been constructed as open drains, etc. . . . .	Barlow . . . . .	Mar. 2 . .	Bill passed Senate.
473	Feb. 27 . .	A bill for an act for the better protection of railway employes, etc., and declaring an emergency . . . . .	New (by request).	Feb. 27 . .	Referred to Committee on Railroads.
637	Mar. 1 . .	A bill for an act to require the Terre Haute & Indianapolis Railroad Co., its officers, agents and persons in possession thereof to account to the Attorney-General of the State for the amounts due and owing to the Treasurer of State, etc. . . . .	Pettit . . . . .	Mar. 1 . .	Constitutional rules suspended and bill passed.
176	Mar. 1 . .	A bill for an act concerning the organization of railroad corporations, and regulating manner of connecting with other lines, etc. . . . .	East. . . . .	Mar. 1 . .	Referred to Committee on Railroads.
294	Mar. 2 . .	A bill for an act to authorize companies, corporations and voluntary associations to erect pumps and tank stations, etc. . . . .	Eichhorn . . . . .	Mar. 6 . .	Bill passed.

429	Mar. 2 . .	A bill for an act in relation to savings banks, providing for the issuing of stocks, etc . . . . .	Elliott of Henry	Mar. 3 . .	This bill substituted for Senate Bill No. 262.
502	Mar. 2 . .	A bill for an act providing for monthly sessions of the Boards of County Commissioners of counties having a population of more than 50,000 or less than 100,000 . . . . .	Peckinpagh . .	Mar. 4 . .	Bill passed.
543	Mar. 2 . .	A bill for an act fixing the time that the term of County Treasurer shall begin in each county in the State of Indiana	Downey . . . . .	Mar. 4 . .	Bill passed.
553	Mar. 2 . .	A bill for an act for the better government of the State Prisons of Indiana, by requiring a system of gradation. .	Remington . . . .	Mar. 2 . .	Referred to Committee on Prisons.
122	Mar. 2 . .	A bill for an act to amend section 1 of an act to regulate and license the sale of liquors . . . . .	Nicholson . . . . .	Mar. 5 .	Bill passed.
603	Mar. 2 .	A bill for an act making appropriations and fixing salaries and office hours for the State government and its institutions, making certain specific appropriations, etc. . . . .	Smith of Tippecanoe . . . . .	Mar. 6 . .	Constitutional rules suspended and bill passed.
138	Mar. 2 . .	A bill for an act to amend section 3 of an act concerning the public printing, etc.	Littleton . . . . .	Mar. 6	Bill passed.



# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
568	Mar. 2 . .	A bill for an act to authorize incorporated cities in this State to construct, extend, etc., harbors, canals, etc., and for that purpose to condemn lands of persons, etc . . . . .	Rifenburg . . . .	Mar. 6 . .	Bill passed.
226	Mar. 2 . .	A bill for an act to regulate the practice of medicine . . . . .	Shideler . . . .	Mar. 3	Constitutional rules suspended and bill passed.
380	Mar. 2 . .	A bill for an act making it a misdemeanor for any person to represent or advertise himself as the agent of any unauthorized or fictitious insurance company in this State . . . . .	Herod . . . . .	Mar. 6 . .	Bill passed.
564	Mar. 3	A bill for an act for greater purity in elections and for casting and registering votes by means of voting machines	Shideler . . . . .	Mar. 4	Bill failed to pass.
476	Mar. 3 . .	A bill for an act to authorize the administrator of the estate of Robert M. Walker, deceased, to erect a monument over the grave of the said deceased, etc . . . . .	Linek . . . . .	Mar. 3	Referred to Committee on Judiciary.

344	Mar. 3 . . .	A bill for an act concerning the expenses of county commissioners in certain counties in certain cases . . . . .	Kell . . . . .	Mar. 6 . .	Committee report favorable.
324	Mar. 3 . .	A bill for an act to legalize the records and actions of the Board of Trustees of the town of Waynetown, Indiana . . . . .	McCrea . . . . .	Mar. 3 . .	Referred to Committee on Federal Relations.
389	Mar. 3 . .	A bill for an act to amend section 255 of an act concerning procedure in civil cases . . . . .	Randolph . . . . .	Mar. 3 . .	Referred to Committee on Judiciary.
46	Mar. 3 . .	A bill for an act providing for equal educational advantages . . . . .	Jones . . . . .	Mar. 3 . .	Referred to Committee on Education.
451	Mar. 3 . .	A bill for an act to amend an act levying a tax for school revenue for tuition fund, etc. . . . .	Gibson . . . . .	Mar. 4 . .	Further consideration of this bill postponed.
613	Mar. 3 . .	A bill for an act to amend sections 5 and 7 of an act to regulate the weighing and screening of coal mined in this State, etc . . . . .	Henderson . . . . .	Mar. 3 . .	Referred to Committee on Mines and Mining.
513	Mar. 3 . .	A bill for an act concerning elections and taking the "polls" . . . . .	Elliott of Marion . . . . .	Mar. 6 . .	Substituted for Senate Bill No. 379 and passed.
520	Mar. 3 . .	A bill for an act to provide for the organization of corporations, associations and societies to do business of life or accident insurance . . . . .	Roots . . . . .	Mar. 6 . .	Bill passed.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
504	Mar. 3 . .	A bill for an act providing for the consolidation of voluntary association, etc. . . . .	Newton . . . .	Mar. 6 . .	Constitutional rules suspended and bill passed.
487	Mar. 3 . .	A bill for an act concerning the opening of streets and alleys in incorporated towns in the State of Indiana . . . .	Nicholson . . . .	Mar. 6 . .	Constitutional rules suspended and bill passed.
586	Mar. 4 . .	A bill for an act abolishing contract labor in the State Prisons and establishing the public account system, etc . . . .	Jernegan . . . .	Mar. 6 . .	Constitutional rule suspended and bill passed.
577	Mar. 4 . .	A bill for an act concerning places where intoxicating liquors are served and places of clandestine resort, etc. . . .	Thomas . . . . .	Mar. 4 . .	Referred to Committee on Judiciary.
370	Mar. 4 . .	A bill for an act to prohibit pastimes and games of chance and for amusements on the 30th day of May—Decoration Day—etc. . . . .	Packard . . . . .	Mar. 4 . .	Referred to Committee on Federal Relations.
10	Mar. 4 . .	A bill for an act concerning the education of children . . . . .	Monyhan . . . .	Mar. 6 . .	Bill passed.

470	Mar. 4 .	A bill for an act to protect the owners or occupants of any lands that border on navigable water courses . . . . .	Rhodes . . . . .	Mar. 4	Referred to Committee on Federal Relations.
492	Mar. 4 . .	A bill for an act to amend sections 3 and 4 of acts of 1895, amending tax laws of 1891 . . . . .	Smith of Tippecanoe . . . . .	Mar. 4 .	Referred to Committee on Finance.
368	Mar. 4 . .	A bill for an act relating to division of the Congressional Township School funds and interest, etc . . . . .	Titus . . . . .	Mar. 4 . .	Referred to Committee on County and Township Business.
452	Mar. 4 . .	A bill for an act authorizing incorporated towns that have or may contract with any electric light company to levy and collect annual tax of not more than fifty cents on every one thousand dollars to pay for same, etc. . . . .	Sullivan . . . . .	Mar. 4	Referred to Committee on Cities and Towns.
419	Mar. 4 . .	A bill for an act to prevent the sale of impure miners' oil, etc . . . . .	Thornton . . . . .	Mar. 6 .	Committee report favorable.
491	Mar. 4 . .	A bill for an act to amend section 6 of the tax law of 1891 . . . . .	Smith of Tippecanoe . . . . .	Mar. 4	Referred to Committee on Finance.
604	Mar. 4 . .	A bill for an act to legalize the incorporation of the town of Flora, Ind . . . .	Clauser . . . . .	Mar. 6	Constitutional rule suspended and bill passed.
399	Mar. 4 . .	A bill for an act to prevent the fraudulent transfer of property by creditors in embarrassed or failing circumstances . . .	Spooner . . . . .	Mar. 4 . .	Referred to Committee on Judiciary.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER	Author.	Date of Last Action.	CONDITION OF BILL.
538	Mar. 4 . .	A bill for an act authorizing the Governor of the State of Indiana to appoint a commission of three persons to ascertain the practicability of reorganizing the judicial circuit . . . . .	Reynolds . . .	Mar. 4	Referred to Committee on Judiciary.
563	Mar. 4 . .	A bill for an act to legalize the acts of Boards of County Commissioners in allowing claims of trustees for moneys paid, etc. . . . .	Littleton . . . .	Mar. 4 . .	Referred to Committee on Judiciary.
319	Mar. 4 . .	A bill for an act for the incorporation of insurance companies, defining their powers, etc . . . . .	Linck . . .	Mar. 6 . .	Bill passed.
521	Mar. 4 . .	A bill for an act for the incorporation of insurance companies, etc . . . . .	Roots . . . . .	Mar. 6 . .	Bill passed.
402	Mar. 4 . .	A bill for an act authorizing County Treasurers to pay over to Township Trustees any unexpended balances of any funds collected by special levy for constructing gravel roads or to assist in constructing railroads, etc . . . . .	Newton . .	Mar. 6 . .	Constitutional rules suspended and bill passed.

477	Mar. 5 . . .	A bill for an act concerning mortgages and household goods, etc. . . . .	Spooner . . . . .	Mar. 6 . . .	Constitutional rules suspended and bill passed.
431	Mar. 5 . . .	A bill for an act to amend section 48 of an act prescribing who may make a will, the effect thereof, what may be devised, etc. . . . .	Brown . . . . .	Mar. 5 . . .	Referred to Committee on Judiciary.
554	Mar. 5 . . .	A bill for an act prohibiting the manufacture and sale of adulterated candy, etc. . . . .	Patterson of Fulton . . . . .	Mar. 5 . . .	Referred to Committee on Public Health.
238	Mar. 5 . . .	A bill for an act to amend section 1 and 4 of an act concerning interest and usury . . . . .	Nicholson . . . . .	Mar. 5 . . .	Referred to Committee on Judiciary.
639	Mar. 5 . . .	A bill for an act to amend section one of an act to provide for the appropriation of real estate for cemetery purposes . . . . .	Elliott of Marion . . . . .	Mar. 5 . . .	Constitutional rules suspended and bill passed.
565	Mar. 6 . . .	A bill for an act to amend sections 1, 2, 5, 6, 7, 8 and 10 of an act entitled an act concerning the construction of free gravel, stone or other roads, etc. . . . .	Downey . . . . .	Mar. 6 . . .	Committee report favorable.
625	Mar. 6 . . .	A bill for an act to amend section 59 of an act entitled "An act concerning the incorporation and having more than . . . . ."	Spooner . . . . .	Mar. 6 . . .	Referred to Committee on Judiciary.
578	Mar. 6 . . .	A bill for an act to prevent the creation, maintenance and operation of trusts and combinations in the business of fire and life insurance . . . . .	Sutton . . . . .	Mar. 6 . . .	Referred to Committee on Judiciary.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL
640	Mar. 6 . .	A bill for an act to establish a system of public parks in cities having more than one hundred thousand inhabitants, etc . . . . .	Elliott of Marion.	Mar. 6	Constitutional rules suspended and bill passed.
641	Mar. 6 . .	A bill for an act concerning the collection of road taxes and providing penalties for its violation, and declaring an emergency. . . . .	Linck . . . . .	Mar. 6 . .	Referred to Committee on Judiciary.
220	Mar. 6 .	A bill for an act amending sections 28, 29 and 30, concerning public offenses . . . . .	Goddard . .	Mar. 6 . .	Referred to Committee on Judiciary.
530	Mar. 6 . .	A bill for an act providing for the impeachment and removal from office public officers . . . . .	Littleton . . . . .	Mar. 6 . .	This bill substituted for Senate Bill No. 402 and passed.
566	Mar. 6 . .	A bill for an act to repeal the last of proviso clause of section 2 of an act entitled an act to amend, etc . . . . .	Engle . . . . .	Mar. 6 . .	Referred to Committee on Swamps and Drains.
533	Mar. 6 .	A bill for an act to amend section 1 of an act to authorize railroad companies to consolidate their stock with the stock of other railroad companies in this or adjoining States, and to connect their roads with the roads of said companies . . . . .	Rifenburg . . . . .	Mar. 6 . .	Passed.

HOUSE CONCURRENT RESOLUTIONS IN SENATE.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
1	Jan. 12 . .	A concurrent resolution relative to National Military Park at Vicksburg . .	Linck . . . . .	Jan. 13 . .	Passed.
4	Jan. 14 . .	A concurrent resolution instructing our Senators and requesting our Congressmen to use all honorable means for the passage of a bill No. 3273, now pending in the Congress of the United States . . . . .	Littleton . . . . .	Jan. 14 . .	Adopted.
6	Jan. 18 . .	A concurrent resolution instructing our Senators and requesting our Representatives in Congress to vote for the passage of an amendment to the civil service law restoring all soldiers discharged without charges, and exempting them from civil service examinations to positions in the government service . . . . .	Harris . . . . .	Jan. 18 . .	Concurred in by Senate
7	Jan. 18 . .	A concurrent resolution relative to the appointment by the Governor of a committee to visit and inspect the Southern Hospital for Insane, situate near Evansville, the same to act with a like committee from the Senate . .	Harris . . . . .	Jan 18	Committee report favorable.



# HOUSE CONCURRENT RESOLUTIONS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
10	Jan. 19 . .	A concurrent resolution relating to the bill now pending in the House of Representatives relating to a salary bill adopted by the National Association of Letter Carriers . . . . .	Hubbard . . . . .	Jan. 19 . .	Concurred in by Senate.
11	Jan. 19 . .	A concurrent resolution relating to the election of United States Senators from Indiana . . . . .	. . . . .	Jan. 19 . .	Concurred in by Senate.
8	Jan. 22 . .	A concurrent resolution relating to an amount of money supposed to be due the school fund of this State from the Terre Haute & Richmond Railroad (Vandalia) . . . . .	Henderson . .	Jan. 25 . .	House refused to concur.
3	Jan. 22 . .	A concurrent resolution approving the action of Indiana Chickamauga Commission location of Indiana monument on Chickamauga Battlefield . . . . .	Wallrath . . . .	Jan. 21 .	Adopted.

12	Jan. 25 . . .	A concurrent resolution relating to the appointment of a committee from the House and Senate, with the Speaker of the House as ex-officio chairman, to inquire as to what legislation is necessary in order to enable the State of Indiana to proceed against such railroad company. . . . .	. . . . .	Jan. 25 . .	Concurred in by Senate.
14	Jan. 27 . .	A concurrent resolution relating to the reclassification of railway postal clerks .	Spooner . . . . .	Feb. 8 . .	Adopted by Senate.
15	Feb. 3 . .	A concurrent resolution relating to the cigarette habit. . . . .	Nicholson . . . . .	Feb. 8 . .	Adopted.
18	Feb. 20 . .	A concurrent resolution relating to the utilization for manufacturing and lighting purposes of the water power at the falls of the Ohio River. . . . .	Packard . . . . .	Feb. 23 . .	Returned to House.
19	Mar. 1 . .	A concurrent resolution relating to the sale and circulation among the public schools of a certain book entitled "Story of Liberty" . . . . .	Wallrath . . . . .	Mar. 4 . .	Passed.
20	Mar. 5 . .	A concurrent resolution relating to a statue of Gen Pleasant Hackleman to be erected in the State House yard, etc.	Thomas . . . . .	Mar. 8	Passed Senate.
22	Mar. 6 . .	A concurrent resolution relating to State Printer, Wm. B. Burford . . . . .	Roots . . . . .	Mar. 6 . .	

# HOUSE CONCURRENT RESOLUTIONS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
23	Mar. 6 . .	A concurrent resolution relating to the printing of certain laws enacted by this Legislature, etc . . . . .	Packard . . . . .	Mar. 6 . .	Adopted by Senate March 6.
24	Mar. 6 . .	A concurrent resolution relating to the Vincennes University . . . . .	Willoughby . . .	Mar. 6 . .	Senate failed to concur in this resolution.
25	Mar. 8 . .	A concurrent resolution relating to the printing of laws enacted by this Legislature . . . . .	Packard . . . . .	Mar. 8 . .	Concurred in by Senate.
27	Mar. 8 . .	A concurrent resolution relating to a commission to be appointed by the Governor to make such revision and amendments as they may think necessary to the laws governing municipal corporations, etc . . . . .	Shideler . . . . .	Mar. 8 . .	Senate failed to concur in this resolution.

# SENATE JOINT RESOLUTIONS.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
1	Jan. 7 . .	A joint resolution that there be appointed a committee of three members on the part of the Senate to act with a like committee on the part of the House to prepare joint rules for the two Houses and that the House be notified . . .	Shiveley . . . .	Jan. 7 . .	Adopted.
2	Jan. 7 . .	A joint resolution to notify the Governor that both Houses are organized . . .	Phares . . . .	Jan. 7 . .	Adopted.
3	Jan. 19 . .	A joint resolution relating to initiative and referendum amendments to constitution . . . . .	Horner . . . .	Jan. 27 . .	Indefinitely postponed.
4	Feb. 16 . .	A joint resolution relating to section 2 of article 7 of the Constitution of the State of Indiana and amending same . . .	Early . . . . .	Mar. 8 . .	Signed by Governor.
5	Feb. 16 . .	A joint resolution to amend section 21 of article 7 of the Constitution of the State of Indiana . . . . .	Early . . . . .	Mar. 8 . .	Signed by Governor.

# SENATE JOINT RESOLUTIONS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
6	Feb. 19 . .	A joint resolution relative to the utilization of the water power at the falls of the Ohio . . . . .	Watson . . . . .	Feb. 19 . .	Adopted.
7	Feb. 19 . .	A joint resolution relating to the election of members of the General Assembly.	Gill . . . . .	Feb. 19 . .	Referred to Committee on Revision of Constitution.

## SUBJECT INDEX.

AN ACT TO AMEND—	Page.
Section 2031 R. S. 1881 . . . . .	17
Sections 72, 126 and 129 of act concerning fees and salaries . . . . .	17
Section 2076 of Burns' Revision of Statutes 1894 . . . . .	18
Section 1 of act concerning railroad companies . . . . .	18
Section 3 of act concerning incorporation of street railroad companies . . . . .	19
Section 82 of act concerning proceedings in criminal cases . . . . .	19
Section 115 of act concerning fees and salaries . . . . .	20
Sections 4, 10 and 17 of act concerning Indiana State Soldiers' Home . . . . .	58
Section 56 of act to divide the State for Judicial purposes . . . . .	59
Section 1, etc., of act concerning voluntary associations . . . . .	61
Certain sections of act concerning cities of 35,000 to 49,000 . . . . .	91
Section 122 of act fixing compensation and duties of certain officers . . . . .	93
Section 152 of act concerning taxation . . . . .	93
Section 41 of act concerning State and county officers . . . . .	94
Section 1 of act to amend section 389, concerning civil cases . . . . .	95
Sections 3712, 3718, 3727, 3780, 3783 R. S. 1881 . . . . .	103
Section 126 of act fixing compensation, etc., of State and county officers . . . . .	105
Section 1 of act concerning partition of lands . . . . .	115
Sections 2 and 7 of act concerning Commissioner of Fisheries . . . . .	116
Section 1 of act to encourage water works . . . . .	118
Section 3368 R. S. 1881 . . . . .	120
Section 1 of act concerning Sunday base ball . . . . .	120
Section 265 of act concerning proceedings in civil cases . . . . .	121
Sections 45, 126 and 129 of act concerning State and county officers . . . . .	142
Section 8 of act concerning School for Feeble Minded . . . . .	143
Section 1 of act concerning railroads . . . . .	143
Section 5998 R. S. 1881 . . . . .	144
Section 3 of act concerning public printing and binding . . . . .	145
Section 126 of act concerning compensation of State and county officers . . . . .	145
Section 103 of act concerning compensation of State and county officers . . . . .	145
Section 415 R. S. 1881 . . . . .	147
Section 1 of act concerning railroad corporations . . . . .	149
Section 1 of act concerning street railroad employees . . . . .	156
Sections 4243, 4244, 4245 R. S. 1881 . . . . .	157
Section 6095 R. S. 1881 . . . . .	157
Section 169 of act concerning taxation . . . . .	158
Section 1 of act fixing compensation State and county officers . . . . .	171
Section 18 of act concerning elections . . . . .	171
Sections 48 and 256 of act concerning taxation . . . . .	172
Section 14 of act concerning mechanics' liens . . . . .	182
Section 3 and 5 of act concerning elections . . . . .	183
Section 117 of act concerning State and county officers . . . . .	183
Section 1888 of R. S. 1881 . . . . .	184
Section 17 of act regulating weighing of coal . . . . .	194
Section 1 of act concerning public libraries . . . . .	195
Section 2018 of R. S. 1881 . . . . .	195
Section 1 of act amending 78 and 79 of act concerning cities 35,000 to 49,000 . . . . .	227
Section 11 of act concerning State and county officers . . . . .	228

## AN ACT TO AMEND—Continued.

	Page.
Sections 56, 126, 129 of act concerning cities of more than 100,000 population . . .	230
Section 253 and 254 of act concerning proceedings in civil cases . . . . .	231
Section 40 of act concerning public offenses and their punishment . . . . .	231
Section 3 of act amending certain sections of mechanics' lien act . . . . .	232
Section 6 of act concerning State and county officers . . . . .	232
Section 1 of act concerning cities of 100,000 population . . . . .	233
Section 119 of act concerning State and county officers . . . . .	252
Section 113 of act concerning taxation . . . . .	252
Section 133 of act concerning cities 35,000 to 49,000 . . . . .	253
Section 5 of act concerning Common Councils and Boards of Trustees . . . . .	257
Section 1 of act concerning common schools and officers . . . . .	263
Section 71 of act concerning Justices of the Peace . . . . .	280
Section 93 of act concerning common schools . . . . .	282
Section 92 of act concerning taxation . . . . .	313
Section 5656 R. S. 1894 and 4286, 4292, 4293 R. S. 1881 . . . . .	313
Section 1, 6, 8, 9, 10 and 13 of act concerning Board of Health . . . . .	327
Section 10 of act concerning ferries . . . . .	333
Section 1 of act concerning County Assessors . . . . .	357
Sections 5 and 7 of act concerning weighing of coal . . . . .	358
Section 591 R. S. 1881 . . . . .	359
Section 1914 R. S. 1881 . . . . .	359
Section 943, 948, 951, 954, 971 Burns' Revision 1894 . . . . .	379
Section 119 of act concerning State and county officers . . . . .	388
Section 8 of act concerning proceedings in civil cases . . . . .	402
Section 11 of act concerning construction of ditches . . . . .	402
To amend and repeal certain sections concerning state and county officers . . . .	403
To amend and repeal certain sections concerning state and county officers . . . .	403
To amend certain sections of act concerning cities of more than 100,000 . . . . .	440
Section 78 of act concerning cities of more than 100,000 . . . . .	440
To amend certain sections of act concerning cities of more than 100,000 . . . . .	440
Sections 5 and 9 of act concerning Superior Court of Lake, Laporte and Porter counties . . . . .	441
Sections 5 and 9 of act concerning loan and trust companies . . . . .	449
Section 153 of act concerning public schools . . . . .	451
Section 48 of act concerning making of wills . . . . .	452
Sections, certain, of act concerning drainage . . . . .	454
Section 422 of act concerning procedure in civil cases . . . . .	475
Sections 1 and 3 of act concerning ownership and aliens . . . . .	491
Sections, certain, of act concerning voluntary assignments . . . . .	492
Section 15 of act concerning drainage . . . . .	500
Sections 3369 and 3370 of act concerning Boards of Trustees of towns . . . . .	508
Sections 1, 5, 6, 10 and 12 of act concerning Madison County Superior Court . . .	518
Section 32 of act concerning County Boards . . . . .	525
Section 10 of act concerning frauds and perjuries . . . . .	525
Section 67 of act concerning taxation . . . . .	526
Sections 3 and 4 of act concerning taxation . . . . .	526
Section 1 of act concerning condemnation of real estate . . . . .	544
Section 1 of act concerning common schools . . . . .	551
Section 1 of act concerning railroad companies . . . . .	564
Section 142 of act concerning taxation . . . . .	571
Sections, certain, of act concerning release of mortgage . . . . .	571
Section 7 of act concerning landlord and tenant . . . . .	590
Section 31 of act concerning taxation . . . . .	591
Section 13 of act concerning voluntary assignments . . . . .	591
Section 13 of act concerning free gravel and other roads . . . . .	639
Section 1 of act concerning liens . . . . .	644
Sections, certain, of act concerning City Courts . . . . .	646
Sections 1 and 12 of acts concerning homesteads . . . . .	647
Sections, certain, of act concerning certain sales of realty . . . . .	685
Sections 2, 11, 12, 67 and 77 of act concerning cities of 35,000 to 49,000 . . . . .	687
Section 261 of act concerning public offenses . . . . .	702
Sections 3 and 4 of act concerning elections . . . . .	713
Sections, certain, of an act concerning cities and towns . . . . .	744

**AN ACT TO AMEND—Continued****Page.**

Section 10 of an act concerning ferries . . . . .	747
Section 2 of an act concerning mechanics' liens . . . . .	748
Section 22 of an act concerning partition fences . . . . .	769
Section 36 of an act concerning railroad companies . . . . .	770
Sections 152 and 227 of an act concerning taxation . . . . .	770
Sections 2, 5, 6, 9 and 11 of an act concerning Custodian of Public Buildings . . . . .	773
Sections 66 and 67 of an act concerning cities of 35,000 to 49,000 . . . . .	776
Section 4 of an act concerning powers of County Commissioners . . . . .	776
Section 9 of an act concerning street railway companies . . . . .	797
Section 23 of an act to incorporate the Terre Haute & Richmond R. R. Co . . . . .	809
Section 2528 R. S. 1891 . . . . .	898
Section 11 of an act concerning taxation . . . . .	905
Section 1 of an act concerning railroads . . . . .	905
Section 1090 R. S. 1881 . . . . .	906
Section 1 of an act concerning State Board of Agriculture . . . . .	925
Sections 2545, 2546 and 2548 R. S. 1881 . . . . .	926
Section 92 of an act concerning taxation . . . . .	938
Section 1 of an act amending act concerning voluntary assignments . . . . .	939
Section 6 of an act to amend certain sections concerning railroads . . . . .	978
Section 59 of an act governing cities of more than 100,000 . . . . .	991
Sections 3 and 4 of an act concerning toll roads . . . . .	1000
Section 8 of an act concerning County Treasurers . . . . .	1025
Section 1 of an act concerning tiling of public drains . . . . .	1025
Section 10 of an act concerning Superior Court in Madison County . . . . .	1054
Section 1 of an act concerning appointment of Probate Commissioners . . . . .	1067
Section 8 of an act concerning State Board of Health . . . . .	1068
Section 1 of an act concerning an act for incorporation of towns . . . . .	1075
Section 1 of an act concerning tobacco and children . . . . .	1076
Section 1 of an act concerning bank officers, etc . . . . .	1090
Sections 1, 5 and 7 of an act concerning vinous, spirituous and malt liquors . . . . .	1111
Section 3 of an act concerning public printing, binding and stationery . . . . .	1117
Section 235 of an act concerning proceedings in civil cases . . . . .	1143
Section 3 of an act concerning taxation for common school purposes . . . . .	1143
Section 3 of an act concerning State tax for Benevolent Institutions . . . . .	1143
Sections 5 and 7 of an act concerning weighing and screening of coal . . . . .	1151
Sections 3 and 4 of an act concerning taxation . . . . .	1166
Section 67 of an act concerning taxation . . . . .	1167
Sections 11 and 20 of an act concerning insurance companies . . . . .	1186
Section 1 of an act concerning cemetery lands . . . . .	1199
Section 48 of an act concerning making of wills . . . . .	1210
Sections 1 and 4 of an act concerning interest and usury . . . . .	1211
Section 20 of an act concerning park system, city of over 100,000 . . . . .	1214
Section, certain, concerning construction of free gravel roads . . . . .	1215
Section 59 of an act concerning cities of more than 100,000 . . . . .	1219
Section, certain, of an act concerning public offenses . . . . .	1227
Section 1 of an act concerning railroad companies . . . . .	1241

**ACADEMY OF SCIENCE—**

Academy of Science . . . . .	40
------------------------------	----

**ACTIONS FOR DAMAGES—**

On account of negligence . . . . .	104
On account of negligence . . . . .	146
On account of negligence . . . . .	156

**AGRICULTURE AND HORTICULTURE—**

In Governor's Message . . . . .	40
To encourage . . . . .	184
To appoint veterinary surgeon of State Board of . . . . .	452



<b>ALIENS—</b>	<b>Page.</b>
To amend sections 1 and 3 of an act concerning . . . . .	491
<b>ANTI-TRUSTS—</b>	
See Trusts.	
<b>APPELLATE COURT—</b>	
To repeal section 26 of act creating . . . . .	98
<b>APPORTIONMENT LAWS—</b>	
In Governor Mount's Message . . . . .	79
To fix number of Senators and Representatives . . . . .	93
To fix number of Senators and Representatives . . . . .	155
To divide State into Congressional Districts . . . . .	155
<b>APPROPRIATIONS—</b>	
\$105,000 for expenses of 60th General Assembly . . . . .	71
Eastern Hospital for insane . . . . .	103
Eastern Hospital for Insane, improvements . . . . .	121
Pigeon Roost Monument . . . . .	108
Warren-Scharf Asphalt Paving Co . . . . .	143
For embossed printing machines for Blind Asylum . . . . .	144
Indiana-Bermuda Asphalt Co. . . . .	172
Commission on Boundary Line, Kentucky—Indiana . . . . .	281
Fuehring Brothers, for sprinkling . . . . .	288
\$3,000 for propagation of fish . . . . .	334
\$704 for Andrew M. Sweeney . . . . .	381
For Thomas E. Brown . . . . .	645
For William H. Peters . . . . .	674
For Fred. H. Harding . . . . .	883
For John R. Kennington . . . . .	898
For John DeWaine . . . . .	1000
<b>ASSIGNEES—</b>	
Relating to sales of real estate by . . . . .	257
<b>ASSOCIATIONS TO HOLD AND CONVEY REAL ESTATE—</b>	
Incorporation of . . . . .	157
<b>ATTORNEY-GENERAL—</b>	
Report on Vandalia Railway investigation . . . . .	529
<b>ATTORNEYS' FEES—</b>	
Concerning allowances for in criminal actions . . . . .	282
Concerning in certain cases . . . . .	493
Where they may be included in judgment . . . . .	819
In claims against decedents' estates . . . . .	518
<b>AUDITING BOARD—</b>	
Appointment and compensation of . . . . .	155
<b>BANKS—</b>	
In relation to savings banks . . . . .	287
Amending section 1 of act concerning . . . . .	1090
<b>BARBER WORK—</b>	
To regulate on Sunday . . . . .	97
<b>BASE BALL—</b>	
To amend section 1 of act prohibiting playing on Sunday . . . . .	120
<b>BENEVOLENT AND CHARITABLE INSTITUTIONS—</b>	
Providing for better management, etc . . . . .	818
Amend section 3 of act concerning taxation for . . . . .	1143

<b>CHARITIES—</b>		<b>Page.</b>
Message of Governor Matthews . . . . .		42
Message of Governor Mount . . . . .		82
<b>JARDS OF CONTROL—</b>		
Public buildings and property . . . . .		21
Benevolent, charitable and reformatory institutions . . . . .		195
For State prisons . . . . .		332
Granting certain powers . . . . .		357
For State prisons . . . . .		593
For State prisons . . . . .		778
<b>BOARDS OF EDUCATION—</b>		
See Education.		
<b>BOARD OF HEALTH—</b>		
In message of Governor Matthews . . . . .		41
To amend sections 1, 6, 8, 9, 10 and 13 of act establishing . . . . .		327
To amend section 8 of act concerning . . . . .		1068
<b>BOARDS OF PHARMACY—</b>		
To establish and regulate . . . . .		59
To establish and regulate . . . . .		117
To establish and regulate . . . . .		778
<b>BOARDS OF TRUSTEES OF TOWNS—</b>		
See Cities and Towns.		
<b>BOARDS OF TURNPIKE DIRECTORS—</b>		
See County Commissioners.		
<b>BOTTLES, BOXES, ETC.—</b>		
Used as receptacles for beverages, to protect owners . . . . .		251
Used as receptacles for beverages, to protect owners . . . . .		380
<b>BRIDGES—</b>		
Concerning construction and repair of . . . . .		15
Employment of Superintendent by County Commissioners . . . . .		288
Repair and extension of certain . . . . .		818
<b>BRIDGE SUPERINTENDENT—</b>		
See Bridges.		
<b>BUCKNER, GENERAL SIMEON BOLIVAR—</b>		
Addressed the Senate . . . . .		134
<b>BUILDING AND LOAN—</b>		
Concerning and regulating . . . . .		22
In message of Governor Matthews . . . . .		49
In message of Governor Mount . . . . .		76
Concerning and defining territory . . . . .	227,	327
Concerning and prescribing duties of officers . . . . .		908
<b>CANDY—</b>		
Prohibiting adulteration of . . . . .		1210

<b>CEMETERY—</b>	<b>Page.</b>
Duty of Board of Directors of Associations . . . . .	252
To prevent construction of railroad through . . . . .	490
<b>CHANGES OF VENUE—</b>	
Regulating . . . . .	441
In relation to . . . . .	475
<b>CHICKAMAUGA PARK—</b>	
In message of Governor Matthews . . . . .	44
<b>CHILDREN—</b>	
Regulating care and control of orphan or dependent . . . . .	181
Regulating employment of in manufactories . . . . .	195
Duties of County Commissioners concerning orphan . . . . .	461
Regulating employment in manufactories . . . . .	808
<b>CIGARETTES—</b>	
To regulate and license the sale of . . . . .	103
To legalize the sale of . . . . .	155
Prohibiting the manufacture and sale of . . . . .	254
Prohibiting the manufacture and sale of . . . . .	437
<b>CITIES AND TOWNS—</b>	
Authorizing Boards of Trustees to compel erection of lights . . . . .	106
To amend section 2 of an act concerning streets and alleys . . . . .	120
Concerning duties of Common Councils and Boards of Trustees . . . . .	156
Providing for laying out streets and alleys in . . . . .	148
To make donations for educational institutions . . . . .	181
To provide sinking funds for certain purposes . . . . .	183
To amend certain sections of act concerning cities of 35,000 to 49,000 . . . . .	227
To amend certain sections of act concerning cities of over 100,000 . . . . .	230
Concerning electric light and power plants . . . . .	250
To amend section 133 of act concerning cities of 35,000 to 49,000 . . . . .	253
Concerning taxation of lands within . . . . .	287
Authorizing trustees to levy taxes . . . . .	288
Limiting powers over taxation of lands . . . . .	315
Granting certain specific powers . . . . .	379
Granting right of appeal from decision of Board of Trustees . . . . .	381
Concerning cities having more than 100,000 population . . . . .	410
Concerning cities having more than 100,000 population . . . . .	440
Concerning cities having more than 100,000 population . . . . .	410
Liability for personal injury . . . . .	454
Metropolitan police in cities of 10,000 to 35,000 population . . . . .	455
Concerning the opening of streets and alleys in . . . . .	475
Providing for sinking fund for cities of more than 100,000 population . . . . .	491
Granting permission to use voting machines . . . . .	500
Repealing and amending certain sections of act concerning . . . . .	508
Concerning improvements in cities of less than 31,000 inhabitants . . . . .	524
Authorizing the purchase of water-works by . . . . .	555
May levy certain water taxes . . . . .	571
May survey and plat certain lands . . . . .	583
To enlarge powers of Trustees of . . . . .	633
Concerning paving of streets and alleys . . . . .	646
Amending certain sections concerning cities of 35,000 to 49,000 . . . . .	687
Amending an act concerning . . . . .	744
Fixing time of holding elections in . . . . .	773
Fixing terms of city officers . . . . .	928
Empowering Common Councils, 50,000 to 100,000, to regulate . . . . .	939
Salaries of all officers . . . . .	939
Concerning incorporation and government of 50,000 to 100,000 . . . . .	939
Granting certain powers to . . . . .	1123
Opening streets and alleys in towns . . . . .	1163
Authorizing to perform certain acts . . . . .	1167

**CIVIL CASES—****Page.**

To repeal an act to amend section 546 R. S. 1881 . . . . .	95
Authorizing commencement of on Sunday . . . . .	97
Amending section 255 of act concerning proceedings in . . . . .	121
Amending section 255 of act concerning proceedings in . . . . .	147
To repeal an act to amend section 389 . . . . .	194
To amend sections 253 and 254 of act concerning proceedings in . . . . .	231
To amend section 8 of act concerning proceedings in . . . . .	402
To amend section 422 of act concerning proceedings in . . . . .	475
Concerning forms of verdicts in . . . . .	572
Amending section 255 of act concerning . . . . .	1143

**COMMISSION OF FISHERIES—**

In message of Governor Matthews . . . . .	51
Amending act for appointment of . . . . .	116
Giving police powers to . . . . .	284

**COMMON SCHOOLS—**

Concerning, and certain officers thereof . . . . .	98
Readjustment of districts and location of houses . . . . .	193
Amending section 1 of an act concerning . . . . .	263
Amending section 96 of an act concerning . . . . .	282
To promote attendance and improve discipline . . . . .	314
To define districts . . . . .	333
Providing for a general system of . . . . .	347
Relating to . . . . .	382
Amending act concerning . . . . .	451
Regulating visiting by County Superintendent . . . . .	500
Amending certain sections of . . . . .	551
To continue school fund loans . . . . .	581

**CONGRESSIONAL APPORTIONMENT—**

Dividing State into Congressional Districts . . . . .	155
---	-----

**CONSTABLE—**

Providing for the compensation for . . . . .	99
--	----

**CONVEYANCES OF LANDS—**

By wives of certain persons . . . . .	748
---------------------------------------	-----

**CORPORATIONS UNDER SPECIAL CHARTERS—**

Requirements of . . . . .	525
---------------------------	-----

**COUNTIES—**

To regulate purchase of records and stationery by . . . . .	437
Regulating advertising in counties of more than 100,000 . . . . .	716

**COUNTY ASSESSOR—**

To amend an act concerning . . . . .	357
To abolish the office of . . . . .	1083

**COUNTY AUDITOR—**

Regulating the duties of . . . . .	99
Defining certain liabilities of . . . . .	155
Indexing highways . . . . .	382

**COUNTY CLERKS—****Page.**

In relation to . . . . .	1147
--------------------------	------

**COUNTY COMMISSIONERS—**

Regulating procedure in construction of bridges . . . . .	15
Authorizing to issue and sell bonds conditionally . . . . .	16
Authorizing to issue and sell bonds conditionally . . . . .	21
Requiring them to employ the County Surveyor . . . . .	94
In message of Governor Mount . . . . .	79
Providing for proof of claims for allowances by . . . . .	99
Regulating the duties of Boards of . . . . .	99
Constituting them Boards of Turnpike Directors. . . . .	147
Relative to construction of gravel roads . . . . .	156
Concerning duties in making allowances . . . . .	155
To appoint County Superintendent of Highways. . . . .	171
Authorizing to make certain appropriations . . . . .	231
Authorizing appointment of Bridge Superintendent. . . . .	288
Prescribing the duties of in certain cases. . . . .	315
In counties having not less than 125,000. . . . .	380
Concerning free gravel roads . . . . .	399
In counties having 50,000 to 100,000 population . . . . .	492
Duties concerning orphan children . . . . .	461
Concerning compensation in certain counties . . . . .	645
Amending section 4 of act to purchase toll roads . . . . .	776
Authorizing to purchase toll roads . . . . .	776
Legalizing certain settlements with County Treasurers . . . . .	924
Authorizing to issue bonds in certain cases . . . . .	959
Legalizing certain acts of . . . . .	970
Concerning the sessions of. . . . .	971
Concerning terms of and regulating . . . . .	1018
In regard to monthly sessions. . . . .	1107
Concerning expenses of in counties of 20,000 to 65,000 . . . . .	1142
Legalizing certain acts of . . . . .	1179

**COUNTY OFFICERS—**

To execute certain papers . . . . .	224, 281
-------------------------------------	----------

**COUNTY PROPERTY—**

Amending an act regulating the sale of . . . . .	157
--	-----

**COUNTY SHERIFFS—**

In relation to . . . . .	1147
--------------------------	------

**COUNTY TREASURER—**

Fixing time for terms to begin . . . . .	1110
Authorizing to pay over certain moneys . . . . .	1200

**COUNTY SUPERINTENDENT OF SCHOOLS—**

Regulating the duty of . . . . .	500
Concerning qualification of . . . . .	1017

**COUNTY SUPERINTENDENT OF HIGHWAYS—**

Commissioners to appoint . . . . .	171
------------------------------------	-----

**COUNTY SURVEYORS—**

Providing for the employment of by Commissioners . . . . .	94
Prescribing certain duties of . . . . .	315
To perpetuate section corners . . . . .	357
Regulating duty of . . . . .	581, 704

<b>CLAIM—</b>	<b>Page.</b>
Survival of upon death of claimant . . . . .	184
Against Circuit, Superior or Criminal Courts . . . . .	489
<b>CRIMINAL ACTIONS—</b>	
Amending section 62 of act concerning proceedings in . . . . .	19
Concerning proceedings in . . . . .	133
Concerning allowances for attorneys' fees . . . . .	282
Trespass . . . . .	289
<b>CUSTODIAN OF STATE HOUSE—</b>	
Abolishing . . . . .	95
<b>DAYS OF GRACE—</b>	
To abolish . . . . .	256
<b>DEBT—</b>	
Requiring listing of bonds, notes, etc., for taxation . . . . .	1025
<b>DECEDENTS' ESTATES—</b>	
Regulating sale of realty . . . . .	108
Regulating in re childless wives, etc . . . . .	178
Regulating attorneys' fees . . . . .	518
<b>DECORATION DAY—</b>	
Prohibiting certain amusements . . . . .	1166
<b>DEEDS—</b>	
Upon tax sales . . . . .	228
<b>DEPARTMENT OF GEOLOGY—</b>	
In message of Governor Matthews . . . . .	42
<b>JOHN DeWAINE—</b>	
Appropriating money for . . . . .	1000
<b>DISEASE OF FRUIT TREES—</b>	
To prevent spread of . . . . .	327
<b>DOMESTIC ANIMALS—</b>	
For protection of . . . . .	100
For protection of . . . . .	490
For protection of . . . . .	951
<b>DRAINAGE—</b>	
Concerning flood gates in ditches . . . . .	157
Concerning and repairs on ditches and drains . . . . .	193
To repeal section 11 of an act concerning ditches and drains . . . . .	287
Amending certain sections concerning ditches and drains . . . . .	313
Construing section 25 of act concerning ditches and drains . . . . .	316
To amend section 11 of act concerning ditches and drains . . . . .	402
To amend certain section of act concerning ditches and drains . . . . .	454
To amend section 15 of act concerning ditches and drains . . . . .	500
Repeal proviso clause of section 2 concerning ditches and drains . . . . .	703
For repair and reconstruction of ditches . . . . .	745
Amending act concerning tiling . . . . .	1025

**DRUGS—****Page:**

To regulate and prescribe purity in manufacture and sale . . . . .	103
To prevent adulteration of . . . . .	117
Relative to selling and compounding . . . . .	117
To provide against adulteration of . . . . .	118
Regulating manner of selling . . . . .	381

**EARLY RECORDS—**

In message of Governor Matthews . . . . .	54
---	----

**EASTERN HOSPITAL FOR INSANE—**

Appropriations for current expenses . . . . .	103
Appropriations for improvements. . . . .	121

**EDUCATION—**

Of children. . . . .	58
Compulsory . . . . .	37
In message of Governor Mount. . . . .	76
Compulsory . . . . .	92
Requiring State Board to issue certain licenses . . . . .	94
Donations to institutions of . . . . .	181
Providing for reinvestment of funds of certain institutions . . . . .	282
Authorizing institutions to admit certain trustees . . . . .	282
Extending powers of State Board of . . . . .	337
To establish boards of education in civil townships . . . . .	518
Concerning education of children. . . . .	1165

**ELECTION COMMISSIONERS—**

Prescribing their duties . . . . .	144
------------------------------------	-----

**ELECTION LAWS—**

In message of Governor Mount. . . . .	81
Providing for registration . . . . .	117
To amend sections 18, 26 and 45 of. . . . .	171
To amend sections 3 and 5 of . . . . .	183
Repealing certain sections. . . . .	229
To amend section 75 of law concerning Justices of the Peace . . . . .	280
Providing for greater purity of . . . . .	334
Concerning. . . . .	508
Providing for greater purity of . . . . .	644
To amend sections 3 and 4 of an act concerning . . . . .	713
Concerning and providing penalties . . . . .	646
Concerning intimidating employes . . . . .	745
Concerning holding elections in incorporated towns . . . . .	773
Providing for purity of elections . . . . .	1142
Concerning elections and taking of polls . . . . .	1152

**ELECTRICITY—**

Prohibiting theft and unlawful use of. . . . .	882
--	-----

**ELECTRIC LIGHT WORKS—**

See Cities and Towns.

**EMBALMERS—**

State Board of . . . . .	194
--------------------------	-----

<b>ENGINEER OF STATE HOUSE—</b>	<b>Page.</b>
Abolishing . . . . .	95
<b>EVIDENCE—</b>	
Manner in which it may become part of appeal to Supreme or Appellate Court .	777
<b>EXCESS FARE—</b>	
Prohibiting collection of . . . . .	121
<b>FEEs AND SALARY—</b>	
See State and County Officers.	
<b>FERRIES—</b>	
Concerning night ferries . . . . .	158
Concerning . . . . .	333
To amend section 10 of act concerning . . . . .	747
<b>FERRETS—</b>	
Use unlawful to catch rabbits . . . . .	232
<b>FINAL JUDGMENTS—</b>	
To enforce collection of . . . . .	439
<b>FIRE—</b>	
To provide for investigation of causes . . . . .	100
<b>FISH—</b>	
For protection of . . . . .	116
For protection of . . . . .	284
Petition for amending law . . . . .	311
For propagation and protection of . . . . .	334
See also Commissioner of Fisheries.	
<b>FOOD AND DAIRY COMMISSIONER—</b>	
Appointment of . . . . .	611
<b>FLORA, CARROLL COUNTY, INDIANA—</b>	
Legalizing incorporation of . . . . .	1170
<b>FOREIGN MISSIONS—</b>	
Authorizing incorporation of Boards of Commissioners . . . . .	100
<b>FRAUDS—</b>	
Upon hotels, etc . . . . .	256
And perjuries, for prevention of . . . . .	525
To prevent fraudulent transfers of property . . . . .	1177
<b>FREE GRAVEL AND OTHER ROADS—</b>	
Supplemental act to an act concerning construction . . . . .	115
For protection of . . . . .	181
For construction and maintenance . . . . .	315
Boards of County Commissioners to lay out . . . . .	399
To prevent hauling over . . . . .	583
To amend section 13 of an act concerning . . . . .	639
To amend certain sections of an act concerning . . . . .	1215



**FREE PASSES—****Page.**

Making it unlawful for certain persons to accept . . . . .	100
Making it unlawful for certain persons to accept . . . . .	181
Making it unlawful for certain persons to accept . . . . .	390

**FUEHRING BROTHERS—**

Appropriation for street sprinkling . . . . .	288
---	-----

**FUGITIVES FROM OTHER STATES—**

Regulating arrest and surrender of . . . . .	15
--	----

**GAME—**

To prevent destruction of certain wild . . . . .	91
To prevent destruction of certain wild . . . . .	748

**GOVERNOR—**

In message of Governor Matthews . . . . .	56
Authorizing to enter into certain contract . . . . .	585
Authorizing to appoint certain commission . . . . .	1177

**GREEN RIVER ISLAND—**

In message of Governor Matthews . . . . .	52
---	----

**HAMMOND, IND.—**

To disannex certain lands from . . . . .	777
--	-----

**HARDING, FRED H.—**

Appropriation for sprinkling . . . . .	883
--	-----

**HAY, GRAIN, ETC.—**

Regulating sale, etc . . . . .	645
--------------------------------	-----

**HOBART, IND.—**

Legalizing act . . . . .	591
--------------------------	-----

**HORSES—**

Concerning docking and clipping . . . . .	90
Regulating the practice of shoeing . . . . .	146
Concerning docking and clipping . . . . .	493

**HOSPITALS FOR INSANE—**

In message of Governor Matthews . . . . .	32
Regulating visiting . . . . .	525

**HOTELS, ETC.—**

Frauds upon, and punishment . . . . .	256
Frauds upon, and punishment . . . . .	508
For protection of owners and keepers . . . . .	700

**JUDGES OF SUPREME COURT—**

Concerning salaries of . . . . .	556
----------------------------------	-----

**JUDICIARY—****Page.**

Fixing time for holding court in Fifty-seventh Circuit . . . . .	15
Fixing time for holding court in Eleventh Circuit . . . . .	15
Fixing time for holding court in Thirty-fourth and Thirty-fifth Circuits, and defining same. . . . .	19
Defining Twenty-sixth Circuit . . . . .	19
Creating and defining Fifty-eighth Circuit. . . . .	20
Amending section 37 and repealing section 75 of act dividing State into precincts for judicial purposes. . . . .	20
Amending section 56 of act dividing into precincts, etc . . . . .	59
Concerning Eleventh Judicial Circuit . . . . .	63
Fixing time for holding court in Fifty-seventh Circuit. . . . .	63
Fixing time for holding court in Sixth Circuit . . . . .	64
Defining Thirty-second and Fifty eighth Judicial Circuit . . . . .	93
For transacting business in case of vacancy in office of Judge . . . . .	94
Fixing time of holding court in the Twentieth Judicial Circuit . . . . .	137
Defining Ninth, Sixteenth and creating Fortieth Judicial Circuits . . . . .	142
Fixing time for holding court in Nineteenth Judicial Circuit . . . . .	228
Creating and defining Thirty-third and Thirty-fourth Judicial Circuit. . . . .	229
Fixing time for holding court in Third Judicial Circuit . . . . .	232
Defining Second and Third Judicial Circuit . . . . .	233
Defining Eighth Judicial Circuit . . . . .	258
Fixing time of holding court in Fourth Judicial Circuit . . . . .	263
Fixing time of holding court in Twenty-second Judicial Circuit . . . . .	265
For transacting business when vacancy in office of Judge. . . . .	517
Defining Fifth Judicial Circuit . . . . .	571
Fixing time of holding court in Tenth Circuit . . . . .	586
Defining Fifth and Seventh Judicial Circuits . . . . .	674
Fixing time of holding court in Seventh Judicial Circuit . . . . .	969
Defining Forty-second Judicial Circuit. . . . .	970
Appointment of commission to inquire into judicial system. . . . .	999
Fixing time of holding court in Forty fourth District . . . . .	1167
Authorizing to appoint commission. . . . .	1177

**JUSTICE OF THE PEACE—**

Allowing to issue summons on Sunday . . . . .	97
Compelling to procure and use seal . . . . .	117
Appointment of Special Judge their duties, etc . . . . .	182
Amending section 71 of act concerning election of. . . . .	280
Decreasing the number of . . . . .	289
In townships having over 100,000 population . . . . .	556

**INDETERMINATE SENTENCE—**

Concerning . . . . .	133
----------------------	-----

**INDIANA BERMUDA ASPHALT CO.—**

Appropriation for payment of claim . . . . .	172
--	-----

**INDIANA CENTENNIAL—**

In message of Governor Matthews . . . . .	46
In message of Governor Mount . . . . .	79

**INDIANA COTTON MILLS—**

Extending charter of . . . . .	994
--------------------------------	-----

**INDIANA NATIONAL GUARD—**

In message of Governor Matthews . . . . .	43
---	----

**INDIANA REFORMATORY—**

To establish . . . . .	132
------------------------	-----

<b>INDIANA STATE SOLDIERS' HOME—</b>	<b>Page.</b>
In message of Governor Matthews . . . . .	35
<b>INDIANA UNIVERSITY—</b>	
In message of Governor Matthews . . . . .	36
Granting certain powers to Trustees of . . . . .	509
Providing for distribution and reinvestment of funds . . . . .	823
<b>INSANE FEMALES—</b>	
Concerning conveyance of to and from hospitals . . . . .	926
<b>INSTITUTE FOR BLIND—</b>	
In message of Governor Matthews . . . . .	34
Appropriation for printing machinery . . . . .	144
<b>INSTITUTE FOR DEAF AND DUMB—</b>	
In message of Governor Matthews . . . . .	34
To establish at Evansville . . . . .	118
<b>INSURANCE COMPANIES—</b>	
In message of Governor Mount . . . . .	80
Repealing section 22 of act concerning stock companies . . . . .	103
Amending sections 3712, 3718, 3727, 3729, 3733, R. S. 1881 . . . . .	103
For better security of holders of policies in life . . . . .	116
Supplemental act to an act regulating life . . . . .	116
An act concerning . . . . .	118
Relating to organization and regulating life . . . . .	182
For better security of holders of life . . . . .	182
For better security of holders of life . . . . .	230
For incorporation of . . . . .	251
For standard form of fire policy . . . . .	251
Regulating foreign companies . . . . .	251
Regulating fire insurance . . . . .	284
Incorporation of certain . . . . .	390
To organize mutual fire companies . . . . .	399
Duties of fire companies . . . . .	441
Service of process upon foreign companies . . . . .	452
Defining necessary contents of policies . . . . .	715
A misdemeanor representing unauthorized company . . . . .	1124
Organizations or corporations . . . . .	1159
Incorporation of class companies . . . . .	1186
Amending sections 11 and 20 of act concerning . . . . .	1186
<b>INSURANCE AND INDEMNITY CONTRACTS—</b>	
Regulating . . . . .	101
Regulating . . . . .	104
Regulating . . . . .	334
<b>KENNINGTON, JOHN R.—</b>	
Appropriation for . . . . .	896
<b>KEYSTONE, IND.—</b>	
Legalizing incorporation of . . . . .	153
<b>LABOR COMMISSION—</b>	
Creation of . . . . .	641

**LANDLORD AND TENANT—****Page.**

To amend section 7 of an act concerning . . . . . 590

**LAND OWNERS—**

Protecting from trespass . . . . . 1166

**LAWS—**

Providing revision concerning municipal corporations . . . . . 516

**LAW LIBRARY—**

For better accommodation of . . . . . 439

**LEGALIZING ACTS—**

Incorporation of Lowell, Ind . . . . . 92  
 Incorporation of Whiting, Ind . . . . . 92  
 Acts of County Commissioners in certain cases . . . . . 105  
 Incorporation of Keystone, Ind . . . . . 153  
 Acts of minors acting as deputies. . . . . 191  
 Incorporation of Poneto, Ind . . . . . 192  
 All acts of Notaries Public . . . . . 284  
 All acts of Notaries Public . . . . . 289  
 Incorporation of Cynthiana, Ind . . . . . 315  
 All acts of Notaries Public . . . . . 333  
 Incorporation of Roann, Ind . . . . . 365  
 Records and actions of town of Waterloo, Ind . . . . . 399  
 Survey by order of Board of Trustees of Shoals, Ind. . . . . 401  
 Incorporation of Greenville, Ind . . . . . 437  
 Joint session of Commissioners of Knox and Sullivan Counties. . . . . 452  
 Circle Grove Cemetery Association . . . . . 552  
 Acts of Notaries Public . . . . . 591  
 Elections, etc., of Hobart, Ind. . . . . 591  
 Incorporation of Wolcott, Ind . . . . . 611  
 Certain bonds issued by Jeffersonville, Ind. . . . . 639  
 Incorporation of East Chicago, Ind. . . . . 644  
 Incorporation of Ladoga, Ind. . . . . 685  
 Free gravel road bonds . . . . . 744  
 Free gravel road bonds . . . . . 770  
 Records and acts of Waynetown, Ind. . . . . 1143  
 Incorporation of Flora, Ind. . . . . 1170

**LEGISLATIVE APPORTIONMENT—**

To fix number of Senators and Representatives . . . . . 155  
 To repeal act approved March 6, 1885 . . . . . 251  
 To fix number of Senators and Representatives . . . . . 639

**LEVEES AND FLOOD-GATES—**

Providing for the maintenance of same. . . . . 91

**LIBEL AND SLANDER—**

Regulating practice in . . . . . 583

**LIENS—**

Specifying what are prior liens . . . . . 180  
 To amend section 14 of act concerning . . . . . 182  
 Concerning mechanics . . . . . 232  
 Concerning mechanics . . . . . 334  
 Concerning mechanics . . . . . 778

<b>LIQUOR—</b>	<b>Page.</b>
To regulate the sale of intoxicating . . . . .	119
Certain persons must procure license . . . . .	316
Concerning sale of in resorts . . . . .	1165
<b>LIFE INSURANCE—</b>	
See Insurance.	
<b>LIFE LICENSES—</b>	
To graduates of certain schools . . . . .	334
<b>LIVE STOCK SANITATION—</b>	
In message of Governor Mount . . . . .	77
To abolish the commission . . . . .	289
To abolish the commission . . . . .	452
<b>LOAN AND TRUST COMPANIES—</b>	
Amending sections 5 and 9 of act concerning . . . . .	449
<b>LOWELL, IND.—</b>	
Legalizing the incorporation . . . . .	92
<b>MEDICINE, SURGERY AND OBSTETRICS—</b>	
Regulating the practice of . . . . .	1124
<b>METROPOLITAN POLICE—</b>	
In cities of 10,000 to 25,000 . . . . .	455
<b>MILEAGE—</b>	
Report of Committee on . . . . .	111
Report of Committee on . . . . .	1197
<b>MINES AND MINING—</b>	
Concerning health and safety of persons employed . . . . .	156
For certain regulations . . . . .	366
Compelling owner to make maps, reports etc. . . . .	738
<b>MINERS' OIL—</b>	
Preventing sale of impure . . . . .	1167
<b>MONEY—</b>	
For auditing by different departments of State . . . . .	647
<b>MORTGAGES—</b>	
Concerning release of . . . . .	571
Provide for satisfaction of record of . . . . .	610
Concerning certain . . . . .	1200
<b>MORTON, OLIVER P.—</b>	
To provide statue for . . . . .	283
<b>MT. CARMEL DAM—</b>	
In message of Governor Matthews . . . . .	50

<b>MUNICIPAL CORPORATIONS—</b>	<b>Page.</b>
Providing for revision of laws concerning . . . . .	100
<b>NEWTON COUNTY--</b>	
Providing for relocation of county seat . . . . .	928
<b>NOTARY PUBLIC—</b>	
Legalizing acts of . . . . .	284
Legalizing acts of . . . . .	289
Legalizing acts of . . . . .	333
Requiring performance of certain acts . . . . .	336
Legalizing acts of . . . . .	591
<b>NORTHERN HOSPITAL FOR INSANE—</b>	
For appropriation for improvements . . . . .	180
For appropriation for maintenance . . . . .	180
<b>NOXIOUS WEEDS—</b>	
To prevent spread of . . . . .	148
Concerning cutting down and destroying . . . . .	709
<b>OFFICIAL CORRUPTION—</b>	
Defining, etc . . . . .	499
<b>OPTOMETRY—</b>	
Defining and regulating practice of . . . . .	257
<b>PARTITION FENCES—</b>	
Declaring what are, providing for repairs, etc . . . . .	20
Defining . . . . .	104
Enclosures, and trespassing animals . . . . .	146
Amending section 22 of act concerning . . . . .	769
<b>PARTITION OF LANDS—</b>	
Amending section 1 of act concerning . . . . .	115
<b>PENAL INSTITUTIONS—</b>	
In message of Governor Mount . . . . .	81
Report of Commission on . . . . .	122
In relation to control of . . . . .	314
In relation to control of . . . . .	332
<b>PERSONAL INJURY—</b>	
Liability of city or town for . . . . .	454
<b>PONETO, IND.—</b>	
Legalizing incorporation of . . . . .	192
<b>POOR—</b>	
Amending section 6095 R. S. 1881 . . . . .	157
Amending section 6099 R. S. 1881 . . . . .	288
Providing medical attendance for certain poor . . . . .	408
<b>PRISONERS—</b>	
Prohibiting keeping of certain . . . . .	133
For discharge from State prisons . . . . .	154
For discharge from State prisons . . . . .	474

<b>PRIVATE CORPORATIONS—</b>	<b>Page.</b>
Concerning preferences by . . . . .	748
<b>PROBATION OFFICERS—</b>	
Appointing . . . . .	132
<b>PROOF—</b>	
Fixing order of in certain cases . . . . .	143
<b>PROMISSORY NOTES—</b>	
To repeal section 14 of act concerning . . . . .	147
<b>PROSECUTING ATTORNEY—</b>	
Authorizing to administer oaths in certain cases . . . . .	146
Appointment in Thirty-third Judicial Circuit and ——— Circuit . . . . .	229
<b>PUBLIC DEFENDER—</b>	
Creating office of . . . . .	381
<b>PUBLIC EXAMINER—</b>	
Concerning appointment of . . . . .	62
<b>PUBLIC HEALTH—</b>	
In message of Governor Mount . . . . .	81
To provide for preservation of . . . . .	253
<b>PUBLIC HIGHWAYS—</b>	
Concerning removal of buildings therefrom . . . . .	18
Concerning Supervisors thereof . . . . .	143
For protection thereof . . . . .	181
Defining, etc . . . . .	357
Requiring to be indexed . . . . .	382
<b>PUBLIC LIBRARIES—</b>	
Concerning . . . . .	195
<b>PUBLIC OFFENSES—</b>	
To amend section 43 of an act concerning . . . . .	102
Concerning and their punishment . . . . .	472
Amending sections 28, 29 and 30 . . . . .	1227
<b>PUBLIC OFFICERS—</b>	
Providing for impeachment and removal . . . . .	594
Amending section 261 of an act concerning . . . . .	702
Providing for removal and impeachment . . . . .	1241
<b>PURDUE UNIVERSITY—</b>	
In Governor Matthews' message . . . . .	36
<b>QUAIL, ETC.—</b>	
To prevent destruction of . . . . .	90
To prevent destruction of . . . . .	517

**QUARTERMASTER-GENERAL—****Page.**

Fixing salary of . . . . .	382
Fixing salary of . . . . .	523

**RAILROAD COMPANIES—**

Now organized, to lease, sell and convey . . . . .	102
To authorize the consolidation of . . . . .	102
To provide signal lights on locomotives . . . . .	104
To erect and maintain safety gates and electric lights . . . . .	109
Prohibiting charging excess fare . . . . .	121
To give notice of arrival and departure of trains . . . . .	143
To give notice of arrival and departure of trains . . . . .	148
To keep watchmen at grade crossings, etc . . . . .	170
To regulate number of brakemen on freight trains . . . . .	170
Prior liens against . . . . .	180
Authorizing contracts of lease between . . . . .	453
Relating to crossings. . . . .	454
Prevent location through cemeteries . . . . .	490
Concerning operation of. . . . .	555
Amending section 1 of act concerning. . . . .	564
Amending section 36 of an act concerning . . . . .	770
Requiring to perform certain duties . . . . .	881
Amending section 1 of act concerning. . . . .	905
Providing for protection of employers . . . . .	1082
Concerning organization of . . . . .	1092
Amending section 1 of act concerning . . . . .	1241

**REAL ESTATE—**

Incorporation of associations to hold and convey . . . . .	157
Relating to sales of by assignees . . . . .	257
Concerning assessments and liens on . . . . .	335
Concerning assessments and liens on . . . . .	517
Concerning condemnation and purchase of. . . . .	544
Concerning recording leases of . . . . .	741
To confirm and validate certain sales. . . . .	747

**REFORMATORY—**

In message of Governor Mount . . . . .	82
Amending sections 5, 6, 7 and 8 of act concerning female . . . . .	229
Control and government of certain institutions. . . . .	314

**RELIEF ACTS—**

Thomas Levi . . . . .	193
Harrison Dunkle. . . . .	371
Robert Cones. . . . .	744

**REPEALING ACTS—**

To repeal section 1 of an act to amend section 369 of an act approved March 11, 1895 . . . . .	119
To repeal an act to amend section 546 R. S. 1881 . . . . .	119
To repeal section 22 of an act for incorporation of insurance companies . . . . .	250
To repeal act to fix the number of Senators and Representatives . . . . .	251
To repeal section 11 of act concerning ditches and drains . . . . .	287
To repeal sections 6491, 6492, 6493 and 6494 R. S. 1881 . . . . .	367
To repeal an act concerning statistics . . . . .	401
To repeal and amend certain sections concerning State and county officers. . . . .	403
To repeal section 4557 R. S. 1881 . . . . .	438
To repeal section 3371 R. S. 1881 . . . . .	508
To repeal proviso clause in drainage act . . . . .	703
To repeal an act fixing the number of Senators and Representatives . . . . .	970
To repeal proviso clause of act concerning County Commissioners . . . . .	1227



<b>REVISION OF STATUTE LAWS—</b>	<b>Page.</b>
Providing for the same . . . . .	978
<b>SAVINGS BANKS—</b>	
In relation to . . . . .	287
In relation to . . . . .	1107
<b>SCHOOL FUND—</b>	
For division of Congressional Township Fund . . . . .	1166
<b>SCHOOL FOR FREEBLE-MINDED YOUTH—</b>	
In message of Governor Matthews . . . . .	35
To amend section 3 of act to establish, etc . . . . .	143
<b>SCHOOL CITIES AND TOWNS—</b>	
To negotiate and sell bonds . . . . .	171
<b>SESSION ACTS, ETC.—</b>	
Printing, indexing, binding, distribution, etc . . . . .	744
<b>SHEEP—</b>	
For protection of . . . . .	100
<b>SHORT-HAND REPORTERS—</b>	
Concerning appointment, duties and compensation . . . . .	101
Amending section 6 of act concerning . . . . .	102
Authorizing appointment of . . . . .	646
<b>SOLDIERS' AND SAILORS' ORPHANS' HOME—</b>	
In message of Governor Matthews . . . . .	34
<b>STATE OF INDIANA—</b>	
To permit to be sued in certain cases . . . . .	146
To convey certain grounds to city of Indianapolis . . . . .	178
<b>STATE AND COUNTY OFFICERS—</b>	
Amending section 22 of act fixing compensation and duties . . . . .	93
Amending section 41 of act fixing compensation and duties . . . . .	94
Amending section 126 of act fixing compensation and duties . . . . .	105
Amending section 126 of act fixing compensation and duties . . . . .	145
Amending section 103 of act fixing compensation and duties . . . . .	145
Amending section 1 of act fixing compensation and duties . . . . .	171
Amending section 117 of act fixing compensation and duties . . . . .	183
Amending section 11 of act fixing compensation and duties . . . . .	228
Amending section 6 of act fixing compensation and duties . . . . .	232
Amending section 119 of act fixing compensation and duties . . . . .	252
Repeal or amend sections 114 to 135 of act as above . . . . .	403
Amending certain sections of act as above . . . . .	403
Fixing duties and compensation of . . . . .	463
Making appropriations and fixing salaries . . . . .	1118
<b>STATE BOARD OF AGRICULTURE—</b>	
Amending section 1 of act concerning . . . . .	925
<b>STATE BOARD OF EMBALMERS—</b>	
To establish and regulate . . . . .	194

<b>STATE DEBT—</b>	<b>Page.</b>
Foreign . . . . .	28
Domestic . . . . .	26
<b>STATE LIBRARY SYSTEM—</b>	
To establish . . . . .	94
<b>STATE NORMAL SCHOOL—</b>	
In message of Governor Matthews . . . . .	37
<b>STATE PRISONS—</b>	
Relating to government and supervision of . . . . .	101
Abolishing contract labor in . . . . .	753
Providing for better government of . . . . .	778
Providing for better government of . . . . .	1111
Abolishing contract labor in . . . . .	1168
<b>STATE SANITARY COMMISSION—</b>	
In message of Governor Matthews . . . . .	40
To abolish live stock commission . . . . .	289
<b>STATE SOLDIERS' HOME—</b>	
In message of Governor Matthews . . . . .	35
To amend sections 4, 10 and 17 of act concerning . . . . .	58
In Message of Governor Mount . . . . .	81
<b>STATE SOLDIERS' AND SAILORS' MONUMENT—</b>	
Providing for collection of taxes to complete . . . . .	818
<b>STEAM HEAT AND POWER—</b>	
Preventing theft of . . . . .	938
<b>STREETS AND ALLEYS--</b>	
Laying out in incorporated towns . . . . .	148
<b>STREET RAILROAD COMPANIES—</b>	
Amending the act providing for the incorporation of . . . . .	19
Amending section 12 of an act for the incorporation of . . . . .	98
Amending section 1 for comfort and safety of employes . . . . .	156
An act for the comfort of employes and passengers . . . . .	287
An act relating to heating of cars . . . . .	491
Amending section 9 of act concerning . . . . .	798
<b>SUPERIOR COURT—</b>	
To establish for Grant County . . . . .	96
To establish for Grant and Howard counties . . . . .	543
Amending section 10 of an act concerning Madison County . . . . .	1054
<b>SUPERINTENDENT AND WARDEN—</b>	
Of certain institutions to hold autopsies . . . . .	359
<b>SUPERINTENDENT OF MACHINERY OF CAPITOL—</b>	
Creation of and defining duties . . . . .	95

<b>SUPERINTENDENT OF PUBLIC BUILDINGS—</b>	<b>Page.</b>
Creation of and defining duties . . . . .	95
<b>SURETIES—</b>	
An act concerning . . . . .	404
<b>SURVIVAL OF CLAIMS—</b>	
For personal injuries . . . . .	184
<b>SWAMP LAND—</b>	
Restoration of fund in Auditor's hands. . . . .	926
<b>SWEENEY, ANDREW M.—</b>	
Appropriation for . . . . .	381
<b>SWINE—</b>	
To prevent spread of disease among . . . . .	91
<b>TAXATION—</b>	
Repealing section 90 of an act concerning . . . . .	58
Of real estate encumbered by mortgage . . . . .	59
To amend section 152 of an act concerning . . . . .	93
To amend section 169 of an act concerning . . . . .	158
To amend sections 43 and 255 of an act concerning . . . . .	172
Concerning deeds upon tax sales . . . . .	228
Concerning taxes for road purposes in corporate limits . . . . .	231
Amending section 113 of an act concerning . . . . .	252
Of lands in cities and towns . . . . .	287
Levy of taxes by township and town trustees . . . . .	288
Supplemental to act concerning . . . . .	313
Amending section 92 of an act concerning . . . . .	313
Limiting powers of in taxation . . . . .	315
Township trustees may levy under certain conditions . . . . .	451
Amending certain sections . . . . .	526
Amending section 142 of an act concerning . . . . .	571
Amending section 31 of an act concerning . . . . .	591
Providing for collection of city taxes by county treasurer . . . . .	700
Amending sections 152 and 227 of an act concerning . . . . .	770
To levy taxes for construction of free gravel roads . . . . .	776
Amending section 11 of an act concerning . . . . .	905
Concerning for gravel road purposes . . . . .	905
Section 92 of an act concerning . . . . .	938
Concerning of certain lands within corporate limits . . . . .	950
Of taxing dogs . . . . .	951
Requiring listing of bonds, notes, etc . . . . .	1025
Amending section 3 of an act for common school purposes. . . . .	1143
Amending sections 3 and 4 of an act for taxation . . . . .	1166
Amending section 68 of an act for taxation . . . . .	1167
Assessment and taxation of certain property . . . . .	1171
Concerning collection of road taxes . . . . .	1214
<b>TELEGRAPH—</b>	
Prescribing certain duties for companies . . . . .	101
To license and regulate operators . . . . .	798
<b>TELEPHONES—</b>	
Regulate rental . . . . .	170
Regulate and define powers of companies . . . . .	526

<b>TERRE HAUTE &amp; RICHMOND RY., TERRE HAUTE &amp; INDIANAPOLIS RY.—</b>	<b>Page.</b>
To furnish statement . . . . .	295
Amending section 23 of act to incorporate Terre Haute & Richmond R. R . . . .	809
Concerning liquidation of State claim against . . . . .	1091
<b>TOWNSHIP OFFICERS—</b>	
Regulating time of elections . . . . .	224
<b>TOWNSHIP TRUSTEES—</b>	
Authorizing to make additional road tax in certain cases . . . . .	17
In message of Governor Mount . . . . .	79
Defining duties in sale of township property . . . . .	120
Relating to duties of . . . . .	155
Repealing section 2 of an act concerning election of . . . . .	229
Regulating purchase of school supplies by . . . . .	230
Authorized to levy taxes . . . . .	288
Concerning duties of . . . . .	289
Concerning duties of . . . . .	315
May levy special road tax under certain conditions . . . . .	451
Authorizing to hire janitors for school-houses . . . . .	451
Publication of annual reports . . . . .	591
Limiting powers of . . . . .	748
Providing for election of . . . . .	906
<b>TRUSTEES OF FUNDS AND ESTATES—</b>	
Appointment and duties of . . . . .	256
<b>TRUSTS—</b>	
In message of Governor Matthews . . . . .	47
Defining trusts and conspiracies against trade . . . . .	61
In message of Governor Mount . . . . .	80
Prohibiting formation of . . . . .	92
Declaring formation of to be unlawful . . . . .	808
Preventing creation of . . . . .	1218
<b>USURY—</b>	
Preventing extortion . . . . .	450
Amending sections 1 and 4 of an act concerning . . . . .	1211
<b>VACANCY IN JUDGMENT—</b>	
Providing for filling . . . . .	94
<b>VANDALIA RAILROAD—</b>	
In message of Governor Matthews . . . . .	49
Communication from Attorney-General regarding . . . . .	529
<b>VENUE—</b>	
Change of . . . . .	441
Change of . . . . .	475
Fixing the, of offense in criminal provoke . . . . .	899
<b>VEHICLES—</b>	
Regulating width of tires . . . . .	555
<b>VETERINARY—</b>	
Providing for appointment of surgeon . . . . .	452
Regulating the practice of . . . . .	147

**VOLUNTARY ASSIGNMENTS—****Page.**

An act to amend an act concerning . . . . .	492
To amend section 13 of an act concerning . . . . .	591
To amend section 1 of an act concerning . . . . .	939

**VOLUNTARY ASSOCIATIONS—**

Amending act concerning organization, etc . . . . .	61
For incorporation of farmers' and citizens' . . . . .	117
Authorizing . . . . .	1107
Authorizing consolidation of . . . . .	1163

**VOTERS—**

Providing for registration of . . . . .	117
---	-----

**VOTING MACHINES—**

May be used in cities and towns. . . . .	500
--	-----

**WAYNETOWN, MONTGOMERY COUNTY, INDIANA—**

Legalizing actions of Board of Trustees . . . . .	1143
---	------

**ROBERT M. WALKER, DECEASED—**

Authorizing administrator to erect monument . . . . .	1142
---	------

**WEIGHTS AND MEASURES—**

Regulating method for wheat . . . . .	15
---------------------------------------	----

**WESTERN MUTUAL LIFE INSURANCE CO.—**

Amend act concerning . . . . .	257
--------------------------------	-----

**WHITING, IND.—**

Legalizing incorporation . . . . .	92
------------------------------------	----

**WILLS—**

Probation of . . . . .	61
Amending section 48 of act concerning . . . . .	452
Amending section 48 of act concerning . . . . .	1210

**WITNESS FEES—**

Taxation of . . . . .	402
-----------------------	-----

**WOMEN—**

Regulating employment of . . . . .	195
Authorizing to vote in certain elections . . . . .	476
Regulating employment of . . . . .	808

**WALLACE, GENERAL LEW—**

Addressed the Senate . . . . .	134
--------------------------------	-----

**WAREHOUSE RECEIPTS—**

Concerning and regulating . . . . .	195
-------------------------------------	-----

**WARREN-SCHARF ASPHALT CO.—**

Appropriating money for . . . . .	143
-----------------------------------	-----

<b>WATERLOO, IND.—</b>	<b>Page.</b>
Legalizing records of . . . . .	399
<b>WATER WORKS—</b>	
To amend section 1 of act to encourage . . . . .	118
Authorizing cities to purchase . . . . .	556
Authorizing cities to levy certain taxes . . . . .	571

# INDEX TO SENATE JOURNAL.

---

## ALEXANDER, FRANCIS M.—

Appeared and answered . . . . .	150
Bills introduced by . . . . .	115, 142, 289, 490
Committees appointed on, standing . . . . .	12, 13, 83, 85
Mileage of . . . . .	111
Motions made by . . . . .	167, 285, 367, 563, 585, 817
Petitions presented by . . . . .	390, 632
Reports made by . . . . .	111, 350, 1197
Resolutions offered by . . . . .	13
Leave of absence granted to . . . . .	168, 190
Warrants drawn by . . . . .	1291

## BALL, WALTER L.—

Appeared and answered . . . . .	4
Bills introduced by . . . . .	62, 313, 450, 744
Committees appointed on, standing . . . . .	83, 84, 85, 86, 153
Committees appointed on, select . . . . .	356
Mileage of . . . . .	111
Motions made by . . . . .	254, 280, 298, 318, 369, 458, 486, 515, 569, 575, 577, 635, 695, 696, 697, 731, 822, 896, 923, 973, 1046, 1051, 1159, 1182, 1217, 1234
Petitions presented by . . . . .	689
Reports made by . . . . .	133, 139, 206, 218, 322, 333, 351, 412, 416, 439, 473, 592, 647, 675, 712, 758, 773, 794, 817, 896, 949, 956, 1012, 1045, 1047, 1089, 1178, 1179, 1204, 1206, 1216, 1232, 1233, 1304
Warrants drawn by . . . . .	1292

## BETHELL, WILLIAM J.—

Appeared and answered . . . . .	3
Bills introduced by . . . . .	15
Committees appointed on, standing . . . . .	94, 85, 86
Mileage of . . . . .	111
Motions made by . . . . .	422, 545
Petitions presented by . . . . .	346
Reports made by . . . . .	723, 794, 975
Leave of absence granted to . . . . .	168, 788, 1082
Warrants drawn by . . . . .	1291

## BOBILYA, LOUIS J.—

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	15, 90, 253, 490, 508
Committees appointed on, standing . . . . .	83, 85
Committees appointed on, select . . . . .	1241
Mileage of . . . . .	111
Motions made by . . . . .	166, 260, 311, 422, 462, 506, 515, 612, 691, 701, 777, 932, 966, 1033, 1062, 1081, 1082, 1120, 1136, 1276, 1290
Petitions presented by . . . . .	346
Leave of absence granted to . . . . .	166, 273, 818
Warrants drawn by . . . . .	1292

**BOZEMAN, VIRGIL P.—****Page.**

Appeared and answered . . . . .	3
Bills introduced by . . . . .	3, 91, 315, 399, 454
Committees appointed on, standing . . . . .	83, 84, 85
Mileage of . . . . .	111
Motions made by . . . . .	62, 351, 408, 464, 1114, 1181
Reports made by . . . . .	1148
Resolutions offered by . . . . .	114
Warrants drawn by . . . . .	1292

**CAMPBELL, JAMES A.—**

Appeared and answered . . . . .	4
Bills introduced by . . . . .	61, 134, 150, 223
Committees appointed on, standing . . . . .	84, 85
Mileage of . . . . .	111
Motions made by . . . . .	281, 754, 1276
Petitions presented by . . . . .	337, 390
Leave of absence granted to . . . . .	821, 1081
Warrants drawn by . . . . .	1292

**COLLETT, MARCUS W.—**

Appeared and answered . . . . .	3
Bills introduced by . . . . .	91, 154, 180, 193, 357, 926
Committees appointed on, standing . . . . .	84, 86, 1201
Committees appointed on, select . . . . .	432
Mileage of . . . . .	111
Motions made by . . . . .	86, 134, 190, 209, 517, 624, 761, 1091, 1182
Petitions presented by . . . . .	358
Reports made by . . . . .	206, 207, 426, 427, 433, 439, 576, 596, 652, 751, 752, 897, 939, 980, 1071, 1171, 1173, 1175, 1221, 1255, 1282, 1287
Resolutions offered by . . . . .	121, 148, 597, 760, 1260
Leave of absence granted to . . . . .	167
Warrants drawn by . . . . .	1293

**CULBERT, URIAH—**

Appeared and answered . . . . .	356
Bills introduced by . . . . .	441
Committees appointed on, standing (supersedes Geo. W. Rogers) . . . . .	1201
Petitions presented by . . . . .	632, 647
Reports made by . . . . .	1220
Leave of absence granted to . . . . .	390, 875
Warrants drawn by . . . . .	1300

**DRUMMOND, CHARLES P.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	1167
Committees appointed on, standing . . . . .	83, 84, 85
Committees appointed on, select . . . . .	8, 12, 319
Mileage of . . . . .	111
Motions made by . . . . .	112, 161, 235, 236, 449, 456, 471, 472, 474, 528, 575, 642, 712, 806, 809, 874, 1150, 1192, 1203, 1230, 1242
Petitions presented by . . . . .	346
Reports made by . . . . .	235, 719
Warrants drawn by . . . . .	1293



**DUNCAN, HENRY CLAY—**

Page-

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	105, 115, 142, 154, 155, 180, 181, 282, 314, 475, 476, 509, 586
Committees appointed on, standing . . . . .	83, 84, 85, 153
Committees appointed on, select . . . . .	13, 488
Mileage of . . . . .	111
Motions made by . . . . .	66, 187, 188, 299, 312, 317, 318, 457, 476, 488, 515, 519, 584, 615 666, 672, 685, 810, 978, 979, 1082, 1098, 1150, 1159, 1206
Petitions presented by . . . . .	346, 632, 754
Reports made by . . . . .	132, 165, 207, 331, 332, 419, 420, 421, 501, 630, 631, 654, 750, 751, 788, 886, 979, 992, 1034, 1070, 1161, 1193, 1261
Resolutions offered by . . . . .	111, 314
Leave of absence granted to . . . . .	169
Warrants drawn by . . . . .	1293

**EARLY, JACOB D.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	15, 91, 116, 224, 284, 455, 492, 556, 646, 685, 777, 882, 938
Committees appointed on, standing . . . . .	83, 84, 85
Committees appointed on, select . . . . .	209
Mileage of . . . . .	111
Motions made by . . . . .	107, 152, 168, 218, 297, 318, 322, 410, 413, 431, 487, 593, 637, 715, 732, 741, 777, 810, 826, 827, 878, 882, 924, 1027, 1055, 1093, 1116, 1132, 1134, 1136, 1200, 1201, 1239
Reports made by . . . . .	151, 336, 584, 587, 746, 749, 750, 1183
Resolutions offered by . . . . .	735
Leave of absence granted to . . . . .	521, 686
Warrants drawn by . . . . .	1293

**ELLISON, THOMAS EMMETT—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	16, 91, 104, 181, 227, 256, 518, 644
Committees appointed on, standing . . . . .	83, 84
Committees appointed on, select . . . . .	13, 1275
Mileage of . . . . .	111
Motions made by . . . . .	16, 72, 167, 191, 197, 199, 201, 205, 220, 235, 260, 274, 280, 290, 294, 295, 296, 297, 304, 354, 364, 389, 390, 397, 526, 528, 543, 548, 578, 582, 666, 710, 713, 715, 733, 749, 760, 770, 805, 878, 902, 941, 942, 952, 967, 991, 1008, 1095, 1145, 1189, 1217, 1235, 1239, 1258
Reports made by . . . . .	132, 548
Resolutions offered by . . . . .	107, 190, 895
Warrants drawn by . . . . .	1294

**GOCHENOUR, JOSEPH C.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	117, 155, 171, 287, 365, 437
Committees appointed on, standing . . . . .	84, 85
Mileage of . . . . .	111
Motions made by . . . . .	304, 365, 565, 678, 749, 891, 1052, 1094, 1132, 1160, 1162
Petitions presented by . . . . .	358
Resolutions offered by . . . . .	1272, 1276
Warrants drawn by . . . . .	1294

**GILBERT, NEWTON W.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	92, 101, 116, 143, 155, 171, 172, 181, 193, 316, 399, 523, 593, 646, 687, 1018, 1068
Committees appointed on, standing . . . . .	12, 84, 85
Committees appointed on, select . . . . .	319
Mileage of . . . . .	111
Motions made by . . . . .	197, 209, 233, 399, 458, 545, 546, 570, 633, 665, 810, 872, 923, 934, 935, 987, 943, 1054, 1066, 1083, 1084, 1114, 1125, 1154, 1160, 1187, 1190, 1201, 1205, 1207, 1234, 1255
Petitions presented by . . . . .	390, 632
Reports made by . . . . .	163, 174, 175, 176, 177, 238, 241, 242, 318, 337, 338, 373, 375, 376, 377, 431, 432, 438, 443, 461, 563, 605, 606, 607, 696, 789, 790, 791, 821, 974, 989, 990, 1054, 1100, 1127, 1128, 1129, 1135, 1153, 1215, 1269
Resolutions offered by . . . . .	87, 974, 1094, 1286
Warrants drawn by . . . . .	1294

**GILL, WILLIAM B.—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	265, 315, 382, 499, 500, 508, 685
Committees appointed on, standing . . . . .	84, 85
Mileage of . . . . .	111
Motions made by . . . . .	137, 265, 685, 810, 1205, 1248
Petitions presented by . . . . .	266, 358, 390
Resolutions offered by . . . . .	798
Leave of absence granted . . . . .	168, 824, 1062
Warrants drawn by . . . . .	1294

**GOAR, CHARLES S.—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	193, 1171
Committees appointed on, standing . . . . .	84, 85
Mileage of . . . . .	111
Motions made by . . . . .	200, 367, 678
Petitions presented by . . . . .	348
Reports made by . . . . .	177, 212, 213, 276, 346, 359, 392, 561, 612, 688, 814, 909, 990, 1034, 1128, 1261
Leave of absence granted to . . . . .	755
Warrants drawn by . . . . .	1294

**GOODWINE, FREMONT—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	228, 287, 468
Committees appointed on, standing . . . . .	83, 84, 85, 86
Mileage of . . . . .	111
Motions made by . . . . .	1241
Petitions presented by . . . . .	286, 346
Resolutions offered by . . . . .	1212
Warrants drawn by . . . . .	1295

**GOSTLIN, WILLIAM H.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	17, 92, 102, 106, 156, 263, 347, 379, 564, 644, 744, 928
Committees appointed on, standing . . . . .	84, 85
Committees appointed on, select . . . . .	356
Mileage of . . . . .	111
Motions made by . . . . .	135, 326, 320, 356, 684, 1057, 1157, 1203
Petitions presented by . . . . .	346, 632
Reports made by . . . . .	328, 746, 1187
Warrants drawn by . . . . .	1295

**HORNER, FRANK A.—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	94, 156, 194, 280, 287, 336, 358, 366, 524, 647, 745
Committees appointed on, standing . . . . .	84, 85
Committees appointed on, select . . . . .	488, 896
Mileage of . . . . .	111
Motions made by . . . . .	362, 473, 565, 637, 810, 825, 893, 904, 931, 973, 1049, 1056, 1217
Resolutions offered by . . . . .	113, 114, 221
Warrants drawn by . . . . .	1295

**HOUGHTON, HILEARY Q.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	17, 18, 94, 144, 401
Committees appointed upon, standing . . . . .	83, 85
Mileage of . . . . .	111
Motions made by . . . . .	12, 63, 65, 71, 151, 323, 364, 401, 409, 493, 494, 516, 550, 575, 586, 637, 677, 698, 815, 825, 873, 876, 923, 936, 976, 1095, 1127, 1163
Petitions presented by . . . . .	455
Reports made by . . . . .	135, 164, 245, 246, 247, 394, 395, 396, 424, 483, 484, 580, 604, 605, 652, 653, 654, 702, 792, 888, 941, 1020, 1022, 1070, 1071, 1195, 1196, 1197, 1265
Resolutions offered by . . . . .	797
Warrants drawn by . . . . .	1295

**HOGATE, ENOCH G.—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	17, 61, 93, 117, 143, 228, 287, 334, 357, 389, 438, 449, 518, 744, 925
Committees appointed on, standing . . . . .	83, 84, 85
Committees appointed on, select . . . . .	12, 1241
Mileage of . . . . .	111
Motions made by, 134, 179, 191, 192, 199, 202, 204, 285, 296, 302, 307, 317, 364, 474, 519, 522, 523, 527, 528, 677, 691, 694, 695, 705, 709, 714, 716, 760, 661, 768, 775, 924, 933, 934, 1029, 1098, 1111, 1121, 1148, 1164, 1169, 1178, 1201, 1203, 1207, 1211, 1215, 1219, 1221	
Petitions presented by . . . . .	346, 451, 579
Reports made by . . . . .	331, 370
Resolutions offered by . . . . .	13, 112, 1271
Leave of absence granted to . . . . .	824, 1033
Warrants drawn by . . . . .	1296

**HOLLER, CHRISTIAN—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	58, 59, 93, 94, 132, 133, 144, 228, 401, 451, 526, 818, 880, 959, 999
Committees appointed on, standing . . . . .	83, 84
Committees appointed on, select . . . . .	13, 209, 488
Mileage of . . . . .	111
Motions made by . . . . .	150, 326, 493, 582, 633, 683, 960, 994, 997, 1181, 1231
Petitions presented by . . . . .	524, 754
Reports made by, 132, 213, 214, 243, 244, 247, 276, 306, 309, 312, 323, 371, 397, 447, 448, 455, 522, 601, 602, 623, 641, 654, 682, 788, 907, 963, 1020, 1070	
Resolutions offered by . . . . .	106, 611
Warrants drawn by . . . . .	1296

**HUMPHREYS, ANDREW—**

Appeared and answered . . . . .	4, 134
Bills introduced by . . . . .	230, 288, 357, 500, 776
Committees appointed on, standing . . . . .	84, 85
Committees appointed on, select . . . . .	1001
Mileage of . . . . .	111
Motions made by . . . . .	206, 445, 614, 955, 1125, 1225, 1304
Petitions presented by . . . . .	284, 343, 613
Warrants drawn by . . . . .	1296

**HUBBELL, O. Z.—**

Page.

Appeared and answered . . . . .	5, 150
Bills introduced by . . . . .	19, 94, 170, 229, 230, 284, 316, 402, 525, 777, 1067
Committees appointed on, standing . . . . .	83, 84, 85, 153
Mileage of . . . . .	111
Motions made by . . . . .	83, 107, 205, 317, 318, 352, 461, 462, 519, 523, 612, 677, 688, 701, 875, 879, 496, 1048, 1049, 1067, 1117, 1134, 1148, 1150, 1152, 1156, 1178, 1180, 1256
Petitions presented by . . . . .	358, 754
Reports made by . . . . .	353, 458, 507, 524, 578, 613, 1248, 1260, 1262, 1263, 1264
Resolutions offered by . . . . .	60, 780
Leave of absence granted to . . . . .	166, 326
Warrants drawn by . . . . .	1296

**HAWKINS, ROSCOE O.—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	93, 102, 117, 143, 172, 193, 228, 256, 257, 334, 404, 440, 453, 454, 645, 716, 883, 971
Committees appointed on, standing . . . . .	13, 83, 84, 85
Committees appointed on, select . . . . .	209
Mileage of . . . . .	111
Motions made by . . . . .	65, 168, 190, 197, 199, 207, 209, 273, 278, 291, 292, 293, 300, 305, 457, 458, 478, 514, 515, 566, 636, 689, 691, 692, 693, 696, 775, 799, 815, 875, 889, 930, 931, 952, 971, 994, 1052, 1058, 1065, 1082, 1095, 1128, 1146, 1160, 1177, 1194, 1213, 1225, 1288
Reports made by . . . . .	338, 509, 667, 1046, 1115
Resolutions offered by . . . . .	88, 178, 180
Warrants drawn by . . . . .	1296

**HUGG, MARTIN M.—**

Appeared and answered . . . . .	5, 134
Bills introduced by . . . . .	95, 102, 144, 145, 156, 182, 194, 230, 257, 288, 380, 402, 452, 492, 497, 991, 1090
Committees appointed on, standing . . . . .	84, 85
Mileage of . . . . .	111
Motions made by . . . . .	436, 444, 527, 569, 573, 583, 695, 710, 712, 826, 828, 874, 891, 893, 936, 937, 1034, 1081, 1122
Petitions presented by . . . . .	343, 579, 632
Reports made by . . . . .	243, 326, 342, 371, 372, 490, 499, 610, 704, 752, 753, 815, 816, 1125, 1264
Resolutions offered by . . . . .	112, 1258
Warrants drawn by . . . . .	1297

**JOHNSON, LAFAYETTE—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	96, 97, 402, 508, 518, 610, 611, 715, 753, 924, 1054
Committees appointed on, standing . . . . .	84, 85
Mileage of . . . . .	111
Motions made by . . . . .	205, 294, 352, 932, 1059, 1084, 1085, 1105, 1137
Petitions presented by . . . . .	286, 390, 632, 647, 754
Reports made by . . . . .	1155, 1164
Resolutions offered by . . . . .	404
Warrants drawn by . . . . .	1297

**JOHNSTON, COLUMBUS—**

Appeared and answered . . . . .	4, 150
Bills introduced by . . . . .	19, 97, 969
Committees appointed on, standing . . . . .	84, 85
Mileage of . . . . .	111
Motions made by . . . . .	167, 206, 969
Leave of absence granted to . . . . .	548
Warrants drawn by . . . . .	1297

**KERNS, WILLIAM F.—**

Page.

Appeared and answered . . . . .	4, 134, 150
Committees appointed on, standing . . . . .	83, 84
Mileage of . . . . .	111
Motions made by . . . . .	350
Petitions presented by . . . . .	173, 690
Reports made by. . . . .	140, 165, 209, 210, 211, 275, 332, 428, 429, 599, 722, 820, 949, 1018
Leave of absence granted to . . . . .	880
Warrants drawn by . . . . .	1297

**LA FOLLETTE, JESSE J. M.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	19, 98, 156, 182, 231, 525, 528, 776, 819
Committees appointed on, standing . . . . .	83, 85, 153
Committees appointed on, select . . . . .	319
Mileage of . . . . .	111
Motions made by . . . . .	71, 86, 272, 279, 304, 316, 322, 411, 414, 415, 416, 472, 478, 489, 636, 935, 952, 997, 1001, 1092, 1105, 1178, 1205, 1247
Petitions presented by . . . . .	346
Reports made by . . . . .	164, 234, 397, 633, 649, 655, 763, 767, 1012, 1085, 1101, 1171, 1193, 1265
Warrants drawn by . . . . .	1297

**LEICH, AUGUST—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	20, 118, 145, 157, 182, 281, 382, 445, 939
Committees appointed on, standing . . . . .	83, 81, 85
Mileage of . . . . .	111
Motions made by . . . . .	325, 1231
Leave of absence granted to . . . . .	548
Warrants drawn by . . . . .	1298

**MULL, THOMAS K.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by. . . . .	103, 120, 250, 257, 258, 335, 388, 647
Committees appointed on, standing. . . . .	83, 84
Committees appointed on, select . . . . .	12, 13, 896, 1241
Mileage of . . . . .	111
Motions made by. . . . .	522, 643, 734, 1119, 1136, 1217
Petitions presented by . . . . .	90, 390, 647
Reports made by . . . . .	108, 158, 274, 335, 336, 442, 579, 761, 762, 889, 906, 1261, 1262, 1273
Warrants drawn by . . . . .	1298

**McCORD, WILLIAM E.—**

Appeared and answered . . . . .	4, 150
Bills introduced by. . . . .	98, 102, 195, 254, 327, 380
Committees appointed on, standing . . . . .	83, 84, 85, 86, 153, 290
Committees appointed on, select . . . . .	319
Mileage of . . . . .	111
Motions made by . . . . .	153, 286, 292, 298, 302, 308, 317, 344, 362, 391, 495, 715, 758, 771, 812, 813, 900
Petitions presented by . . . . .	390
Reports made by. . . . .	261, 377, 392, 492, 493, 886, 972, 1239
Warrants drawn by . . . . .	1298

**NUSBAUM, WILLIAM H.—**

Page.

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	99, 82, 146, 334, 381, 390, 645
Committees appointed on, standing . . . . .	84, 85, 86
Mileage of . . . . .	111
Motions made by . . . . .	350, 351, 390, 472, 515, 518, 523, 580, 710, 1094, 1149, 1161
Petitions presented by . . . . .	149, 358, 689
Reports made by . . . . .	544, 573
Resolutions offered by . . . . .	500
Warrants drawn by . . . . .	1298

**NEWBY, LEONIDAS P.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	22, 98, 99, 146, 183, 195, 231, 252, 288, 359, 381, 452, 700, 713, 818, 1000
Committees appointed on, standing . . . . .	83, 84, 85
Committees appointed on, select . . . . .	12, 356
Mileage of . . . . .	111
Motions made by . . . . .	8, 133, 167, 196, 201, 206, 294, 300, 305, 312, 321, 324, 346, 388, 417, 419, 443, 461, 464, 574, 575, 584, 589, 596, 626, 627, 628, 629, 634, 637, 643, 734, 796, 816, 936, 931, 953, 961, 971, 1033, 1079, 1099, 1194, 1201, 1216, 1234
Reports made by . . . . .	110, 111, 141, 158, 159, 160, 161, 200, 215, 217, 218, 233, 258, 259, 260, 268, 270, 271, 272, 274, 339, 340, 341, 342, 368, 369, 433, 434, 435, 478, 479, 480, 481, 482, 483, 557, 558, 559, 560, 563, 589, 597, 598, 609, 602, 603, 604, 629, 630, 658, 659, 660, 661, 662, 663, 687, 688, 721, 736, 746, 780, 781, 782, 783, 785, 806, 888, 956, 957, 938, 980, 1018, 1019, 1020, 1043, 1068, 1069, 1074, 1138, 1139, 1140, 1141, 1146, 1191, 1202, 1236, 1268, 1269
Resolutions offered by . . . . .	165, 355, 398, 1211
Warrants drawn by . . . . .	1298

**NEW, HARRY S.—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	98, 103, 118, 120, 195, 250, 251, 282, 333, 381, 491, 508, 556, 1082
Committees appointed on, standing . . . . .	84, 85
Mileage of . . . . .	111
Motions made by . . . . .	168, 169, 306, 307, 506, 1061, 1204, 1224, 1245
Petitions presented by . . . . .	390
Reports made by . . . . .	405, 562, 563, 648, 649, 651, 815, 1022, 1197, 1224, 1263
Resolutions offered by . . . . .	1212, 1271
Warrants drawn by . . . . .	1299

**O'CONNOR, THOMAS W.—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	146, 402, 451, 500, 611, 703
Committees appointed on, standing . . . . .	86, 153, 1201
Mileage of . . . . .	111
Motions made by . . . . .	557, 1243
Petitions presented by . . . . .	358, 390
Warrants drawn by . . . . .	1299

**O'BRIEN, JAMES—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	20, 146, 282, 439, 926
Committees appointed on, standing . . . . .	83, 84
Committees appointed on, select . . . . .	1001
Mileage of . . . . .	111
Motions made by . . . . .	65, 295, 325, 360, 388, 473, 546, 578, 706, 1058, 1079, 1198
Petitions presented by . . . . .	390, 632, 754
Reports made by . . . . .	109, 112, 211, 237, 356, 690, 940, 1017, 1137, 1161, 1265, 1266
Resolutions offered by . . . . .	507, 1168
Warrants drawn by . . . . .	1299

**PATTEN, W. E.—****Page.**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	100, 231, 745
Committees appointed on, standing . . . . .	83, 84
Mileage of . . . . .	111
Motions made by . . . . .	923, 937, 997, 998
Resolutions offered by . . . . .	87
Warrants drawn by . . . . .	1299

**PHARES, ISAAC H.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	21, 119, 147, 171, 232, 252
Committees appointed on, standing . . . . .	84
Committees appointed on, select . . . . .	8, 12
Mileage of . . . . .	111
Motions made by . . . . .	21, 362, 544, 612, 929, 973, 1053, 1080
Petitions presented by . . . . .	346
Reports made by . . . . .	640, 1266
Resolutions offered by . . . . .	7, 86, 106, 1258
Leave of absence granted to . . . . .	880
Warrants drawn by . . . . .	1300

**RINEAR, JOHN W.—**

Appeared and answered . . . . .	4, 140, 150
Bills introduced by . . . . .	288
Committees appointed on, standing . . . . .	83, 84, 85, 1201
Motions made by . . . . .	321, 411, 442, 547, 636, 686, 745, 753
Petitions presented by . . . . .	14, 359, 404
Reports made by . . . . .	1221, 1248
Leave of absence granted to . . . . .	824, 1082
Warrants drawn by . . . . .	1300

**ROGERS, G. W.—**

Appeared and answered . . . . .	5, 134, 150
Committees appointed on, standing . . . . .	83, 84
Committees appointed on, select . . . . .	12
Mileage of . . . . .	111
Leave of absence granted to . . . . .	170
Warrants drawn by . . . . .	1300

**SHIVELEY, CHARLES E.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	59, 61, 100, 101, 103, 118, 121, 147, 157, 178, 183, 232, 252, 283, 289, 313, 327, 359, 451, 525, 644, 702
Committees appointed on, standing . . . . .	83, 84
Committees appointed on, select . . . . .	8, 12, 1275
Mileage of . . . . .	111
Motions made by . . . . .	65, 74, 105, 148, 167, 168, 169, 196, 258, 291, 292, 302, 318, 352, 354, 356, 369, 397, 413, 416, 460, 472, 473, 488, 506, 520, 543, 549, 613, 624, 639, 640, 676, 677, 691, 705, 734, 746, 755, 756, 771, 872, 873, 876, 877, 885, 897, 904, 918, 937, 951, 953, 1053, 1084, 1116, 1121, 1134, 1153, 1156, 1162, 1164, 1169, 1179, 1180, 1181, 1182, 1194, 1212, 1256, 1281, 1287
Petitions presented by . . . . .	14, 283, 454, 631
Reports made by . . . . .	109, 113, 161, 163, 210, 236, 277, 343, 378, 391, 550, 631, 648, 702, 716, 717, 718, 719, 720, 722, 918, 947, 1110, 1195
Resolutions offered by . . . . .	7, 12, 261, 449, 500, 600
Warrants drawn by . . . . .	1301
Elected President, pro tem . . . . .	9

	Page.
answered . . . . .	4, 134, 150
ed by . . . . .	58, 100, 555, 556
s appointed on, standing . . . . .	83, 84, 85
of . . . . .	111
s made by . . . . .	345, 366, 1157, 1182, 1231
rts made by . . . . .	163, 425, 489, 598, 599, 919, 990, 1246
ave of absence granted to . . . . .	457, 814, 1066
Warrants drawn by . . . . .	1301

## SHEA, JOSEPH H.—

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	118, 337, 382, 439, 798, 1147
Committees appointed on, standing . . . . .	83, 84, 85, 153
Mileage of . . . . .	111
Motions made by . . . . .	64, 167, 190, 354, 391, 463, 472, 517, 678, 711, 743, 920, 921, 922, 930, 983, 953, 1053, 1064, 1078, 1081, 1121, 1147, 1178, 1204, 1267
Petitions presented by . . . . .	108, 306
Leave of absence granted to . . . . .	86, 168
Warrants drawn by . . . . .	1301

## STROUP, EVERETT E.—

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . . . .	148, 184, 939
Committees appointed on, standing . . . . .	84, 85, 1201
Mileage of . . . . .	111
Motions made by . . . . .	419, 1025
Petitions presented by . . . . .	346
Reports made by . . . . .	1221, 1248, 1255
Leave of absence granted to . . . . .	86, 886
Warrants drawn by . . . . .	1301

## SELF, GEORGE W.—

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	100, 157, 183, 232, 282, 289, 357, 472, 525, 1083
Committees appointed on, standing . . . . .	83, 84, 85, 86
Mileage of . . . . .	111
Motions made by . . . . .	191, 277, 573, 613, 625, 639, 672, 975, 992, 998, 1046, 1056, 1090, 1145, 1156
Reports made by . . . . .	369, 370, 488, 495, 496, 775, 819, 1263
Resolutions offered by . . . . .	1272
Leave of absence granted to . . . . .	168
Warrants drawn by . . . . .	1301

## SWEENEY, MICHAEL A.—

Appeared and answered . . . . .	4, 150
Bills introduced by . . . . .	63, 148, 333
Committees appointed on, standing . . . . .	83, 84, 85, 86, 153
Mileage of . . . . .	111
Motions made by . . . . .	63, 220, 635, 755, 757, 799, 1002, 1006, 1022
Reports made by . . . . .	1006
Resolutions offered by . . . . .	1044
Leave of absence granted to . . . . .	180, 273
Warrants drawn by . . . . .	1302



**WATSON, WARD H.—****Page.**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	158, 184, 232, 263, 332, 347, 402, 776
Committees appointed on, standing . . . . .	83, 84, 85
Committees appointed on, select . . . . .	1275
Mileage of . . . . .	111
Motions made by . . 13, 113, 168, 264, 290, 297, 299, 464, 666, 737, 745, 758, 780, 799, 807, 817, 824, 892, 946, 947, 948, 949, 953, 971, 1002, 1006, 1007, 1099, 1129, 1184, 1145, 1149, 1155, 1160, 1168, 1179, 1190, 1207, 1212, 1245	
Petitions presented by . . . . .	390
Reports made by . . . . .	244, 245, 305, 594, 595, 1135, 1246, 1262, 1264
Resolutions offered by . . . . .	14
Leave of absence granted to . . . . .	342
Warrants drawn by . . . . .	1302

**WHITE, JOHN T.—**

Appeared and answered . . . . .	4, 134, 150
Bills introduced by . . . . .	233, 253, 289
Committees appointed on, standing . . . . .	84, 85
Committees appointed on, select . . . . .	1001
Mileage of . . . . .	111
Motions made by . . . . .	1136
Petitions presented by . . . . .	390
Reports made by . . . . .	372
Resolutions offered by . . . . .	218, 364
Leave of absence granted to . . . . .	674
Warrants drawn by . . . . .	1302

**WOOD, WILL R.—**

Appeared and answered . . . . .	5, 134, 150
Bills introduced by . . 58, 101, 104, 119, 121, 148, 180, 184, 233, 289, 359, 402, 491, 646, 704, 1084	
Committees appointed on, standing . . . . .	83, 84, 85
Committees appointed on, select . . . . .	432
Mileage of . . . . .	111
Motions made by . . . 121, 134, 139, 188, 219, 310, 397, 442, 506, 549, 666, 704, 706, 757, 921, 934, 992, 1120, 1149, 1242	
Petitions presented by . . . . .	358, 632
Reports made by . . . . . 138, 139, 358, 398, 489, 501, 576, 607, 609, 823, 1161, 1267	
Resolutions offered by . . . . .	557, 1271
Leave of absence granted to . . . . .	1063
Warrants drawn by . . . . .	1302

**HAGGARD, WILLIAM S., Lieutenant-Governor and President of the Senate—**

Inaugurated . . . . .	72
Called Senate to order . . . . .	83
Mileage of . . . . .	111
Report of Committee on Rules by . . . . .	151, 1083
Called joint session to order . . . . .	208
Decorated Colonel of the Mexican War Veterans' Association . . . . .	1003
Warrants drawn . . . . .	1303

**NYE, MORTIMER, Lieutenant-Governor and President of the Senate—**

Called Sixtieth Senate to order . . . . .	3
Called Senate to order . . . . .	13
Called joint session to order . . . . .	23
Presented with memento by the Senate . . . . .	57
Called joint session to order . . . . .	67
Called Senate to order . . . . .	71
Called Wm. S. Haggard, Lieutenant-Governor-elect, to the chair . . . . .	72
Mileage of . . . . .	111
Warrants drawn by . . . . .	1302

## SENATE RESOLUTIONS.

SENATE RESOLUTIONS--	Page.
That rules of Fifty-ninth Senate be adopted . . . . .	7
That committee of three be appointed to notify the Governor of organization of the Senate . . . . .	8
That a Committee on Joint Rules be appointed. . . . .	12
That a Committee on Mileage be appointed. . . . .	13
Providing for appointment of standing Committee on Building and Loan Association . . . . .	13
Regulating regulations on Bureau of Printing and Binding. . . . .	14
Directing Congress to reenstate ex Union soldiers, etc . . . . .	60
For printing 4,000 copies of the Governor's message . . . . .	66
Expressing Cuban sympathy. . . . .	86
Expressing Cuban sympathy. . . . .	87
Directing Printing of Governor's message . . . . .	106
Concerning Rule 8 of Senate Rules . . . . .	107
Concerning Monetary Conference. . . . .	111
Retain Leo Lefkowitz as page . . . . .	112
Directing printing of Senate Directory . . . . .	113
Directing printing of Senate Calendar . . . . .	114
Order in regard to cigarettes . . . . .	114
Directing Auditor of State to furnish certain reports. . . . .	149
Printing blanks used by County Clerk. . . . .	150
All bills shall be type-written . . . . .	165
Printing report of Prison Reform Committee be printed, 500 copies . . . . .	166
Limiting employment of Charles A. Wes. 5 days . . . . .	166
Limiting employment of Charles Kelley. 10 days . . . . .	166
Vote for voting for United States Senator . . . . .	180
Limiting employment of James Williams as Janitor . . . . .	213
Constitutional Amendment No. 1 . . . . .	221
Order for State annual meeting of County Commissioners . . . . .	262
Issuance of warrant for expenses of Committee on Benevolent Institutions . . . . .	314
Order for Sam. Small to open Senate. . . . .	315
Order for William Culbert State Senator for four years . . . . .	355
Payment of claim of Dick Townsend . . . . .	364
Order for title to seats of Senators Campbell and Gill. . . . .	398
Order for title of certain State property . . . . .	404
Order for title case . . . . .	449
Order for Clerk to keep posted a list of special orders . . . . .	449
Order for Bill No. 167 to House . . . . .	464
Order for printed copies of Rules of the Senate . . . . .	500
Order for papers . . . . .	500
Order for from Auditor of State . . . . .	507
Order for committee clerks . . . . .	557
Order for from Committee on Sewerage Southern Insane Hospital . . . . .	597
Order for from committee. . . . .	611
Order for from the floor. . . . .	701
Order for Amendment of section 2, Article VII. . . . .	735
Order for Amendment of section 21, Article VII . . . . .	735
Order for Heller, Ellison and Duncan . . . . .	760

ON:

al pa  
ower  
owanc  
owanc  
ndmen  
ill No. 1  
copying  
in War v  
r's Revis  
ney-Gener  
of correcte  
Bill No. 122  
liam McKil  
Culbert vs. R  
Bill No. 580 .  
to Thompson,  
to Thomas C. I  
of Sarah May. .  
nial Commissio  
ment of assistan  
W. Longwell . .  
to the press. . . .  
to the officers. . . .  
J. H. O'Brien . . .  
Miss Allright Merri.  
to O. P. Morton . . .  
to Doorkeeper and ass  
ked grave of ex-Gover.

## ITS OF COMMITTEES.

---

<b>F. Kerns, Chairman—</b>	<b>Page.</b>
.....	140
.....	140
.....	165
.....	210
.....	210
.....	211
1 .....	275
2 .....	275
15 .....	276
36 .....	322
126 .....	428
285 .....	429
145 .....	429
365 .....	599
77 .....	599
244 .....	722
244 .....	723
o. 352 .....	820
o. 270 .....	820
Jo. 270 .....	821
No. 452 .....	949
No. 76 .....	1018
 <b>CITY OF INDIANAPOLIS, Harry S. New, Chairman—</b>	
1 No. 311 .....	405
11 No. 61 .....	406
11 No. 339 .....	502
111 No. 341 .....	502
111 No. 214 .....	502
111 No. 340 .....	563
Bill No. 367 .....	651
Bill No. 442 .....	815
Bill No. 464 .....	1022
Bill No. 640 .....	1224
Bill No. 625 .....	1263
 <b>OLENT INSTITUTIONS, M. W. Collett, Chairman—</b>	
ite Bill No. 201 .....	206
ate Bill No. 178 .....	207
ate Bill No. 266 .....	426
ate Bill No. 305 .....	426
ate Bill No. 123 .....	427
use Bill No. 15 .....	427
enate Bill No. 24 .....	433
ouse Bill No. 510 .....	576
enate Bill No. 277 .....	596
enate Bill No. 389 .....	652
enate Bill No. 103 .....	751
Senate Bill No. 130 .....	751

## ON BENEVOLENT INSTITUTIONS—Continued.

Page.

On House Bill No. 199 . . . . .	752
On Senate Bill No. 454 . . . . .	939
On Eastern Hospital for Insane . . . . .	980
On School for Feeble Minded . . . . .	982
On Indiana State Soldiers' Home . . . . .	984
On Northern Indiana Hospital for Insane . . . . .	1071
On Southern Indiana Hospital for Insane . . . . .	1171
On Central Indiana Hospital for Insane . . . . .	1173
On Soldiers' and Sailors' Orphans' Home . . . . .	1175
On House Bill No. 504 . . . . .	1221
On Senate Bill No. 114 . . . . .	1262
On Senate Bill No. 83 . . . . .	1262

## ON BANKS—

On House Bill No. 429 . . . . .	1148
---------------------------------	------

## ON BUILDING AND LOAN, J. J. M. LaFollette, Chairman—

On Senate Bill No. 205 . . . . .	397
On Senate Bill No. 284 . . . . .	763
On Senate Bill No. 22 . . . . .	767
On Senate Bill No. 284 . . . . .	1012
On House Bill No. 542 . . . . .	1101

## ON CITIES AND TOWNS, H. Q. Houghton, Chairman—

On Senate Bill No. 43 . . . . .	135
On Senate Bill No. 44 . . . . .	135
On Senate Bill No. 2 . . . . .	164
On Senate Bill No. 13 . . . . .	164
On Senate Bill No. 146 . . . . .	246
On Senate Bill No. 171 . . . . .	246
On Senate Bill No. 219 . . . . .	246
On Senate Bill No. 144 . . . . .	247
On Senate Bill No. 91 . . . . .	394
On Senate Bill No. 40 . . . . .	395
On Senate Bill No. 278 . . . . .	395
On Senate Bill No. 206 . . . . .	395
On Senate Bill No. 280 . . . . .	396
On Senate Bill No. 244 . . . . .	396
On Senate Bill No. 225 . . . . .	396
On Senate Bill No. 188 . . . . .	424
On Senate Bill No. 106 . . . . .	424
On Senate Bill No. 186 . . . . .	424
On Senate Bill No. 169 . . . . .	484
On Senate Bill No. 169 . . . . .	485
On Senate Bill No. 263 . . . . .	580
On Senate Bill No. 369 . . . . .	580
On Senate Bill No. 295 . . . . .	604
On Senate Bill No. 233 . . . . .	605
On Senate Bill No. 356 . . . . .	652
On Senate Bill No. 377 . . . . .	653
On Senate Bill No. 112 . . . . .	653
On Senate Bill No. 405 . . . . .	654
On Senate Bill No. 408 . . . . .	702
On Senate Bill No. 362 . . . . .	792
On Senate Bill No. 421 . . . . .	793
On House Bill No. 312 . . . . .	483
On House Bill No. 115 . . . . .	484
On House Bill No. 430 . . . . .	604
On House Bill No. 147 . . . . .	702
On House Bill No. 290 . . . . .	703

## ON CITIES AND TOWNS—Continued.

	Page.
On House Bill No. 153 . . . . .	792
On House Bill No. 88 . . . . .	792
On Senate Bill No. 431 . . . . .	888
On Senate Bill No. 396 . . . . .	888
On Senate Bill No. 436 . . . . .	941
On Senate Bill No. 386 . . . . .	941
On Senate Bill No. 432 . . . . .	941
On Senate Bill No. 295 . . . . .	1020
On Senate Bill No. 237 . . . . .	1022
On Senate Bill No. 248 . . . . .	1070
On House Bill No. 597 . . . . .	1071
On Senate Bill No. 156 . . . . .	1071
On House Bill No. 487 . . . . .	1195
On House Bill No. 604 . . . . .	1196
On Senate Bill No. 460 . . . . .	1198
On Senate Bill No. 459 . . . . .	1198
On Senate Bill No. 475 . . . . .	1197
On House Bill No. 452 . . . . .	1265

## ON CORPORATIONS, O. Z. Hubbell, Chairman—

On Senate Bill No. 160 . . . . .	353
On Senate Bill No. 42 . . . . .	458
On Senate Bill No. 263 . . . . .	507
On Senate Bill No. 262 . . . . .	507
On Senate Bill No. 76 . . . . .	524
On Senate Bill No. 345 . . . . .	524
On House Bill No. 277 . . . . .	578
On Senate Bill No. 387 . . . . .	613
On House Bill No. 486 . . . . .	613
On Senate Bill No. 411 . . . . .	1260
On Senate Bill No. 164 . . . . .	1262
On Senate Bill No. 72 . . . . .	1263
On Senate Bill No. 30 . . . . .	1264

## ON CLAIMS AND EXPENDITURES, Martin M. Hugg, Chairman—

On Senate Bill No. 125 . . . . .	243
On Senate Resolution No. 24 . . . . .	326
On Senate Resolution No. 26 . . . . .	342
On Senate Bill No. 264 . . . . .	371
On Senate Bill No. 171 . . . . .	372
On Senate Bill No. 193 . . . . .	490
On House Bill No. 49 . . . . .	499
On House Bill No. 189 . . . . .	610
On House Bill No. 190 . . . . .	610
On Senate Bill No. 347 . . . . .	752
On Senate Bill No. 314 . . . . .	752
On Senate Bill No. 409 . . . . .	753
On Senate Resolution No. 41 . . . . .	815
On House Bill No. 230 . . . . .	816
On Senate Bill No. 467 . . . . .	1264
On Senate Bill No. 450 . . . . .	1264
On House Bill No. 241 . . . . .	1264

## ON COUNTY AND TOWNSHIP BUSINESS, Newton W. Gilbert, Chairman—

On Senate Bill No. 50 . . . . .	163
On Senate Bill No. 111 . . . . .	174
On Senate Bill No. 65 . . . . .	174
On Senate Bill No. 64 . . . . .	175
On Senate Bill No. 7 . . . . .	176

## ON COUNTY AND TOWNSHIP BUSINESS—Continued.

Page.

On Senate Bill No. 25 . . . . .	176
On Senate Bill No. 128 . . . . .	176
On Senate Bill No. 32 . . . . .	177
On Senate Bill No. 93 . . . . .	177
On Senate Bill No. 69 . . . . .	177
On Senate Bill No. 19 . . . . .	238
On Senate Bill No. 138 . . . . .	241
On Senate Bill No. 85 . . . . .	242
On Senate Bill No. 159 . . . . .	242
On Senate Bill No. 149 . . . . .	242
On Senate Bill No. 170 . . . . .	337
On Senate Bill No. 177 . . . . .	337
On Senate Bill No. 214 . . . . .	338
On Senate Bill No. 148 . . . . .	338
On Senate Bill No. 65 . . . . .	373
On Senate Bill No. 265 . . . . .	375
On Senate Bill No. 268 . . . . .	376
On Senate Bill No. 215 . . . . .	376
On Senate Bill No. 158 . . . . .	376
On Senate Bill No. 4 . . . . .	377
On Senate Bill No. 149 . . . . .	377
On Senate Bill No. 267 . . . . .	431
On Senate Bill No. 211 . . . . .	431
On Senate Bill No. 290 . . . . .	431
On Senate Bill No. 299 . . . . .	432
On Senate Bill No. 274 . . . . .	432
On Senate Bill No. 301 . . . . .	438
On Senate Bill No. 139 . . . . .	443
On Senate Bill No. 166 . . . . .	563
On Senate Bill No. 348 . . . . .	577
On Senate Bill No. 177 . . . . .	577
On Senate Bill No. 69 . . . . .	605
On Senate Bill No. 335 . . . . .	606
On House Bill No. 36 . . . . .	607
On Senate Bill No. 318 . . . . .	607
On House Bill No. 224 . . . . .	789
On House Bill No. 195 . . . . .	789
On Senate Bill No. 410 . . . . .	790
On House Bill No. 275 . . . . .	790
On Senate Bill No. 388 . . . . .	791
On House Bill No. 219 . . . . .	791
On House Bill No. 480 . . . . .	791
On House Bill No. 387 . . . . .	821
On House Bill No. 438 . . . . .	871
On Senate Bill No. 448 . . . . .	904
On Senate Bill No. 446 . . . . .	904
On House Bill No. 114 . . . . .	989
On Senate Bill No. 451 . . . . .	989
On House Bill No. 104 . . . . .	990
On Senate Bill No. 469 . . . . .	1064
On House Bill No. 543 . . . . .	1127
On Senate Bill No. 127 . . . . .	1128
On House Bill No. 126 . . . . .	1128
On House Bill No. 63 . . . . .	1129
On House Bill No. 489 . . . . .	1129
On Senate Bill No. 457 . . . . .	1130
On House Bill No. 344 . . . . .	1215
On House Bill No. 402 . . . . .	1215
On House Bill No. 368 . . . . .	1269

olution No. 19

. Gostlin, Chairman.

ulbert vs. G. W. Rogers . . .

379

t vs. Rogers

LLS, Walter L. Ball, Chairman--

ted Act No. 34

lled Act No. 23

lled Act No. 28

lled Act No. 43

lled Act No. 41

lled Act No. 221

lled Act No. 228

lled Act No. 62

lled Act No. 48

lled Act No. 6

lled Act No. 307

lled Act No. 325

lled Act No. 70

lled Act No. 208

lled Act No. 125

Enrolled Act No. 3

Enrolled Act No. 400

Enrolled Act No. 89

Enrolled Act No. 2

Enrolled Act No. 239

Enrolled Act No. 340

Enrolled Act No. 117

Enrolled Act No. 241





**ON ENROLLED BILLS—Continued.****Page.**

On Senate Enrolled Act No. 251 . . . . .	1255
On Senate Enrolled Act No. 119 . . . . .	1255
On Senate Enrolled Act No. 390 . . . . .	1255
On Senate Enrolled Act No. 357 . . . . .	1255
On Senate Enrolled Act No. 441 . . . . .	1255
On Senate Enrolled Act No. 270 . . . . .	1255
On Senate Enrolled Act No. 401 . . . . .	1255
On Senate Enrolled Act No. 458 . . . . .	1255
On Senate Enrolled Act No. 385 . . . . .	1255
On Senate Enrolled Act No. 111 . . . . .	1255
On Senate Enrolled Act No. 281 . . . . .	1255
On Senate Enrolled Act No. 154 . . . . .	1255
On Senate Enrolled Act No. 360 . . . . .	1255
On Senate Enrolled Act No. 190 . . . . .	1255
On Senate Enrolled Act No. 311 . . . . .	1255
On Senate Enrolled Act No. 260 . . . . .	1255
On Senate Joint Resolution No. 5 . . . . .	1255
On Senate Enrolled Bill No. 148 . . . . .	1263
On Senate Concurrent Resolution No. 11 . . . . .	1287
On Senate Concurrent Resolution No. 12 . . . . .	1287

**ON FEES AND SALARIES, W. R. Woods, Chairman—**

On Senate Bill No. 90 . . . . .	138
On Senate Bill No. 89 . . . . .	138
On Senate Bill No. 52 . . . . .	139
On Senate Bill No. 45 . . . . .	358
On Senate Bill No. 203 . . . . .	398
On Senate Bill No. 167 . . . . .	489
On Senate Bill No. 321 . . . . .	501
On Senate Bill No. 354 . . . . .	576
On Senate Bill No. 9 . . . . .	607
On Senate Bill No. 385 . . . . .	609
On Senate Bill No. 63 . . . . .	609
On Senate Bill No. 223 . . . . .	609
On Senate Bill No. 354 . . . . .	828
On House Bill No. 138 . . . . .	1161
On Senate Bill No. 209 . . . . .	1267
On Senate Bill No. 17 . . . . .	1267
On Senate Bill No. 131 . . . . .	1267
On Senate Bill No. 133 . . . . .	1267
On Senate Bill No. 132 . . . . .	1267
On Senate Bill No. 121 . . . . .	1267
On Senate Bill No. 187 . . . . .	1267
On Senate Bill No. 323 . . . . .	1267
On Senate Bill No. 320 . . . . .	1267
On Senate Bill No. 332 . . . . .	1267
On Senate Bill No. 333 . . . . .	1267
On Senate Bill No. 225 . . . . .	1267

**ON FINANCE, Thomas K. Mull, Chairman —**

On Senate Bill No. 47 . . . . .	108
On Senate Resolution No. 11. . . . .	158
On Senate Concurrent Resolution No. 7. . . . .	274
On Senate Bill No. 246 . . . . .	335
On Senate Bill No. 261 . . . . .	336
On House Bill No. 367 . . . . .	422
On Senate Bill No. 251 . . . . .	579
On Senate Bill No. 429 . . . . .	761
On Senate Bill No. 391 . . . . .	762
On Senate Bill No. 391 . . . . .	763
On Senate Bill No. 392 . . . . .	889



	Page.
. . . . .	161
. . . . .	200
. . . . .	200
. . . . .	215
. . . . .	215
. . . . .	215
. . . . .	215
. . . . .	217
. . . . .	217
. . . . .	217
. . . . .	217
. . . . .	218
. . . . .	233
. . . . .	258
. . . . .	259
. . . . .	259
. . . . .	259
. . . . .	259
. . . . .	260
. . . . .	268
. . . . .	270
. . . . .	271
. . . . .	272
. . . . .	274
1 . . . . .	339
6 . . . . .	339
4 . . . . .	339
8 . . . . .	340
61 . . . . .	340
49 . . . . .	340
77 . . . . .	341
229 . . . . .	341
185 . . . . .	341
141 . . . . .	342
102 . . . . .	368
211 . . . . .	368
235 . . . . .	369
199 . . . . .	369
190 . . . . .	433
182 . . . . .	434
126 . . . . .	434
207 . . . . .	434
207 . . . . .	435
155 . . . . .	435
155 . . . . .	435
202 . . . . .	478
309 . . . . .	479
177 . . . . .	480
255 . . . . .	480
323 . . . . .	480
231 . . . . .	481
1 No. 310 . . . . .	481
1 No. 315 . . . . .	481
1 No. 306 . . . . .	482
11 No. 359 . . . . .	482
11 No. 245 . . . . .	483
11 No. 344 . . . . .	557
11 No. 424 . . . . .	557
11 No. 353 . . . . .	558
11 No. 349 . . . . .	558
11 No. 105 . . . . .	558
11 No. 253 . . . . .	559
11 No. 259 . . . . .	559
11 No. 351 . . . . .	559
11 No. 328 . . . . .	560

## ON JUDICIARY—Continued.

Page.

On House Bill No. 351 . . . . .	580
On Senate Bill No. 342 . . . . .	580
On Senate Bill No. 334 . . . . .	581
On Senate Bill No. 338 . . . . .	583
On Senate Bill No. 288 . . . . .	597
On Senate Bill No. 250 . . . . .	597
On Senate Bill No. 312 . . . . .	598
On Senate Bill No. 230 . . . . .	600
On Senate Bill No. 329 . . . . .	600
On Senate Bill No. 366 . . . . .	602
On Senate Bill No. 383 . . . . .	602
On Senate Bill No. 368 . . . . .	603
On Senate Bill No. 220 . . . . .	603
On Senate Bill No. 360 . . . . .	603
On Senate Bill No. 380 . . . . .	604
On Senate Bill No. 400 . . . . .	626
On Senate Bill No. 399 . . . . .	626
On Senate Bill No. 398 . . . . .	626
On House Bill No. 150 . . . . .	627
On Senate Bill No. 42 . . . . .	627
On Senate Bill No. 373 . . . . .	628
On Senate Bill No. 317 . . . . .	628
On Senate Bill No. 296 . . . . .	628
On Senate Bill No. 272 . . . . .	629
On Senate Bill No. 390 . . . . .	629
On House Bill No. 58 . . . . .	629
On House Bill No. 73 . . . . .	630
On Senate Bill No. 395 . . . . .	630
On House Bill No. 142 . . . . .	658
On Senate Bill No. 294 . . . . .	659
On Senate Bill No. 371 . . . . .	659
On Senate Bill No. 197 . . . . .	660
On Senate Bill No. 293 . . . . .	660
On Senate Bill No. 363 . . . . .	660
On Senate Bill No. 347 . . . . .	661
On Senate Bill No. 245 . . . . .	661
On Senate Bill No. 110 . . . . .	662
On Senate Bill No. 370 . . . . .	662
On Senate Bill No. 376 . . . . .	662
On Senate Bill No. 108 . . . . .	663
On Senate Bill No. 108 . . . . .	664
On Senate Bill No. 361 . . . . .	664
On Senate Bill No. 87 . . . . .	664
On Senate Bill No. 87 . . . . .	665
On Senate Bill No. 413 . . . . .	687
On Senate Bill No. 418 . . . . .	688
On House Bill No. 433 . . . . .	716
On Senate Bill No. 304 . . . . .	717
On House Bill No. 196 . . . . .	717
On Senate Bill No. 406 . . . . .	717
On Senate Bill No. 412 . . . . .	718
On House Bill No. 110 . . . . .	718
On Senate Bill No. 422 . . . . .	718
On Senate Bill No. 422 . . . . .	719
On Senate Bill No. 393 . . . . .	719
On Senate Bill No. 414 . . . . .	719
On Senate Bill No. 417 . . . . .	720
On Senate Bill No. 153 . . . . .	720
On Senate Bill No. 402 . . . . .	720
On Senate Bill No. 426 . . . . .	721
On Senate Bill No. 232 . . . . .	721
On House Bill No. 231 . . . . .	722
On Senate Bill No. 407 . . . . .	722

[illegible]



**ON PRISONS, C. Holler, Chairman—****Page.**

On Senate Bill No. 117 . . . . .	214
On Senate Bill No. 119 . . . . .	214
On Senate Bill No. 120 . . . . .	243
On Senate Bill No. 118 . . . . .	243
On Senate Bill No. 71 . . . . .	244
On Senate Bill No. 147 . . . . .	244
On expense of Prison Committee . . . . .	309
On Senate Bill No. 71 . . . . .	447
On Senate Bill No. 286 . . . . .	448
On Senate Bill No. 210 . . . . .	522
On House Bill No. 120 . . . . .	601
On Senate Bill No. 401 . . . . .	641
On Senate Bill No. 401 . . . . .	642
On Condition of Prison South . . . . .	682
On Condition of Prison North . . . . .	963

**ON PUBLIC HEALTH, VITAL AND OTHER STATISTICS, C. S. Goar, Chairman—**

On Senate Bill No. 27 . . . . .	178
On Senate Bill No. 98 . . . . .	212
On Senate Bill No. 140 . . . . .	212
On Senate Bill No. 107 . . . . .	212
On Senate Bill No. 82 . . . . .	212
On Senate Bill No. 100 . . . . .	213
On Senate Bill No. 194 . . . . .	276
On Senate Bill No. 249 . . . . .	346
On Senate Bill No. 82 . . . . .	359
On Senate Bill No. 152 . . . . .	392
On Senate Bill No. 196 . . . . .	392
On House Bill No. 167 . . . . .	561
On Senate Bill No. 331 . . . . .	612
On Senate Bill No. 316 . . . . .	688
On House Bill No. 239 . . . . .	814
On Senate Bill No. 247 . . . . .	909
On Senate Bill No. 283 . . . . .	910
On Senate Bill No. 404 . . . . .	990
On Senate Bill No. 195 . . . . .	1035
On House Bill No. 226 . . . . .	1028
On House Bill No. 554 . . . . .	1261

**ON PHRASEOLOGY AND ARRANGEMENT OF BILLS, W. L. Ball, Chairman.**

On Enrolled Joint Resolution No. 3 (session of 1895) . . . . .	154
On Enrolled Joint Resolution No. 1 (session of 1895) . . . . .	154

**ON PUBLIC BUILDINGS AND LIBRARY, G. W. Self, Chairman.**

On Senate Bill No. 60 . . . . .	369
On Senate Concurrent Resolution No. 5. . . . .	370
On Senate Concurrent Resolution No. 9. . . . .	488
On Senate Bill No. 337 . . . . .	488
On Senate Bill No. 20 . . . . .	495
On Senate Bill No. 53 . . . . .	496
On House Bill No. 495 . . . . .	775
On Senate Bill No. 419 . . . . .	819
On Senate Bill No. 378 . . . . .	819

**ON RAILROADS, W. H. Watson, Chairman—**

On Senate Bill No. 12 . . . . .	244
On Senate Bill No. 124 . . . . .	245
On Senate Bill No. 116 . . . . .	245
On Senate Bill No. 165 . . . . .	305



## ON RAILROADS—Continued.

	Page.
On Senate Bill No. 163 . . . . .	594
On Senate Bill No. 86 . . . . .	595
On Senate Bill No. 357 . . . . .	868
On Senate Bill No. 25 . . . . .	868
On Senate Bill No. 355 . . . . .	870
On Senate Bill No. 76 . . . . .	870
On Senate Bill No. 423 . . . . .	871
On Senate Bill No. 373 . . . . .	871
On House Bill No. 157 . . . . .	1135
On House Bill No. 533 . . . . .	1246
On Senate Bill No. 180 . . . . .	1262
On Senate Bill No. 179 . . . . .	1262
On House Bill No. 176 . . . . .	1264

## ON ROADS, L. Schneck, Chairman—

On Senate Bill No. 10 . . . . .	163
On Senate Bill No. 279 . . . . .	425
On Senate Bill No. 300 . . . . .	489
On Senate Bill No. 302 . . . . .	489
On Senate Bill No. 394 . . . . .	598
On Senate Bill No. 287 . . . . .	598
On Senate Bill No. 324 . . . . .	599
On Senate Bill No. 437 . . . . .	919
On House Bill No. 128 . . . . .	919
On Senate Bill No. 439 . . . . .	919
On House Bill No. 217 . . . . .	990
On House Bill No. 563 . . . . .	1246

## ON REVISION OF THE CONSTITUTION, J. D. Early, Chairman—

On Joint Resolution No. 3 . . . . .	336
On Joint Resolution No. 1, session of 1895 . . . . .	584
On Joint Resolution No. 3, session of 1895 . . . . .	587
On Joint Resolution No. 4 . . . . .	749
On Joint Resolution No. 5 . . . . .	750
On House Bill No. 388 . . . . .	1183

## ON SWAMP LANDS AND DRAINS, C. Holler, Chairman.

On Senate Bill No. 157 . . . . .	247
On Senate Bill No. 192 . . . . .	276
On Senate Bill No. 39 . . . . .	306
On Senate Bill No. 192 . . . . .	371
On Senate Bill No. 260 . . . . .	397
On Senate Bill No. 281 . . . . .	448
On House Bill No. 103 . . . . .	448
On Senate Bill No. 192 . . . . .	455
On Senate Bill No. 330 . . . . .	601
On Senate Bill No. 358 . . . . .	601
On Senate Bill No. 275 . . . . .	602
On Senate Bill No. 209 . . . . .	654
On Senate Bill No. 358 . . . . .	788
On Senate Bill No. 434 . . . . .	907
On Senate Bill No. 424 . . . . .	1020
On House Bill No. 484 . . . . .	1070

## ON TEMPERANCE, H. S. New, Chairman.

On Senate Bill No. 282 . . . . .	648
On Senate Bill No. 246 . . . . .	649
On House Bill No. 122 . . . . .	1197

## SENATE ROLL-CALLS.

---

ON PASSAGE OF BILLS—	Page.
On Senate Bill No. 6 . . . . .	16
On Senate Bill No. 21 . . . . .	22
On Senate Bill No. 28 . . . . .	60
On Senate Bill No. 3 . . . . .	62
On Senate Bill No. 33 . . . . .	63
On Senate Bill No. 34 . . . . .	64
On Senate Bill No. 43 . . . . .	136
On Senate Bill No. 44 . . . . .	137
On Senate Bill No. 1 . . . . .	162
On Senate Bill No. 89 . . . . .	188
On Senate Bill No. 90 . . . . .	189
On Senate Bill No. 16 . . . . .	189
On Senate Bill No. 5 . . . . .	192
On Senate Bill No. 48 . . . . .	198
On Senate Bill No. 36 . . . . .	201
On Senate Bill No. 8 . . . . .	201
On Senate Bill No. 31 . . . . .	202
On Senate Bill No. 11 . . . . .	203
On Senate Bill No. 13 . . . . .	203
On Senate Bill No. 62 . . . . .	221
On Senate Bill No. 52 . . . . .	234
On Senate Bill No. 227 . . . . .	261
On Senate Bill No. 228 . . . . .	265
On Senate Bill No. 221 . . . . .	278
On Senate Bill No. 208 . . . . .	279
On Senate Bill No. 92 . . . . .	285
On Senate Bill No. 343 . . . . .	299
On Senate Bill No. 70 . . . . .	303
On Senate Bill No. 93 . . . . .	308
On Senate Bill No. 2 . . . . .	311
On Senate Bill No. 96 . . . . .	312
On Senate Bill No. 97 . . . . .	319
On Senate Bill No. 99 . . . . .	319
On Senate Bill No. 125 . . . . .	320
On Senate Bill No. 101 . . . . .	321
On Senate Bill No. 119 . . . . .	323
On Senate Bill No. 10 . . . . .	326
On Senate Bill No. 78 . . . . .	344
On Senate Bill No. 76 . . . . .	344
On Senate Bill No. 311 . . . . .	345
On Senate Bill No. 140 . . . . .	346
On Senate Bill No. 37 . . . . .	347
On Senate Bill No. 67 . . . . .	348
On Senate Bill No. 159 . . . . .	349
On Senate Bill No. 22 . . . . .	352
On Senate Bill No. 18 . . . . .	361
On Senate Bill No. 84 . . . . .	363
On Senate Bill No. 116 . . . . .	363
On Senate Bill No. 307 . . . . .	365



—Continued.

Page.

30 . . . . .	686
39 . . . . .	692
40 . . . . .	693
41 . . . . .	694
58 . . . . .	732
17 . . . . .	739
66 . . . . .	739
24 . . . . .	739
213 . . . . .	740
266 . . . . .	741
361 . . . . .	742
318 . . . . .	742
381 . . . . .	743
29 . . . . .	749
394 . . . . .	754
42 . . . . .	756
331 . . . . .	756
429 . . . . .	762
61 . . . . .	775
441 . . . . .	779
314 . . . . .	795
426 . . . . .	796
95 . . . . .	805
291 . . . . .	811
368 . . . . .	812
309 . . . . .	812
345 . . . . .	814
334 . . . . .	822
26 . . . . .	824
263 . . . . .	825
329 . . . . .	826
441 . . . . .	890
442 . . . . .	893
195 . . . . .	894
60 . . . . .	896
190 . . . . .	897
191 . . . . .	897
390 . . . . .	899
94 . . . . .	900
416 . . . . .	901
242 . . . . .	901
342 . . . . .	916
63 . . . . .	917
305 . . . . .	918
438 . . . . .	955
305 . . . . .	958
349 . . . . .	959
461 . . . . .	960
444 . . . . .	962
421 . . . . .	967
No. 473, session of 1895 . . . . .	968
No. 462 . . . . .	969
No. 463 . . . . .	972
No. 358 . . . . .	974
No. 413 . . . . .	975
No. 90 . . . . .	979
No. 245 . . . . .	991
No. 148 . . . . .	993
No. 394 . . . . .	998
No. 360 . . . . .	999
No. 312 . . . . .	999
ite Act No. 16. . . . .	1001
ite Act No. 475, session of 1895 . . . . .	1002



## —Continued.

## Page.

. . . . .	1050
. . . . .	1088
1 . . . . .	1089
7 . . . . .	1093
. . . . .	1095
. . . . .	1096
4 . . . . .	1096
9 . . . . .	1097
10 . . . . .	1100
2 . . . . .	1106
19 . . . . .	1108
12 . . . . .	1108
30 . . . . .	1111
10 . . . . .	1112
37 . . . . .	1112
67 . . . . .	1114
11 . . . . .	1116
45 . . . . .	1119
90 . . . . .	1120
39 . . . . .	1122
44 . . . . .	1125
580 . . . . .	1126
484 . . . . .	1126
105 . . . . .	1127
584 . . . . .	1130
275 . . . . .	1131
110 . . . . .	1131
76 . . . . .	1132
224 . . . . .	1133
236 . . . . .	1133
236 . . . . .	1135
181 . . . . .	1137
544 . . . . .	1144
186 . . . . .	1146
226 . . . . .	1152
549 . . . . .	1158
190 . . . . .	1158
36 . . . . .	1160
147 . . . . .	1162
127 . . . . .	1181
76 . . . . .	1183
157 . . . . .	1184
502 . . . . .	1185
406 . . . . .	1185
543 . . . . .	1186
114 . . . . .	1190
510 . . . . .	1191
526 . . . . .	1192
639 . . . . .	1204
581 . . . . .	1206
122 . . . . .	1208
520 . . . . .	1213
319 . . . . .	1213
294 . . . . .	1216
504 . . . . .	1222
640 . . . . .	1225
368 . . . . .	1226
568 . . . . .	1228
402 . . . . .	1230
10 . . . . .	1232
521 . . . . .	1232
597 . . . . .	1233
586 . . . . .	1235

## SENATE ROLL-CALLS—Continued.

Page.

On House Bill No. 138 . . . . .	1236
On House Bill No. 477 . . . . .	1237
On House Bill No. 487 . . . . .	1238
On House Bill No. 290 . . . . .	1242
On House Bill No. 604 . . . . .	1243
On House Bill No. 380 . . . . .	1244
On House Bill No. 530 . . . . .	1245
On House Bill No. 513 . . . . .	1246
On House Bill No. 533 . . . . .	1247
On House Bill No. 285, 59th Assembly . . . . .	1259

## ON SUSPENSION OF CONSTITUTIONAL RULE—

On Senate Bill No. 6 . . . . .	16
On Senate Bill No. 21 . . . . .	21
On Senate Bill No. 28 . . . . .	59
On Senate Bill No. 3 . . . . .	62
On Senate Bill No. 33 . . . . .	63
On Senate Bill No. 34 . . . . .	64
On Senate Bill No. 62 . . . . .	99
On Senate Bill No. 43 . . . . .	135
On Senate Bill No. 44 . . . . .	136
On Senate Bill No. 1 . . . . .	162
On Senate Bill No. 89 . . . . .	187
On Senate Bill No. 90 . . . . .	188
On Senate Bill No. 5 . . . . .	192
On Senate Bill No. 48 . . . . .	198
On Senate Bill No. 62 . . . . .	220
On Senate Bill No. 227 . . . . .	264
On Senate Bill No. 228 . . . . .	265
On Senate Bill No. 221 . . . . .	277
On Senate Bill No. 208 . . . . .	278
On Senate Bill No. 92 . . . . .	285
On Senate Bill No. 343 . . . . .	298
On Senate Bill No. 70 . . . . .	303
On Senate Bill No. 307 . . . . .	365
On Senate Bill No. 325 . . . . .	400
On Senate Bill No. 327 . . . . .	401
On Senate Bill No. 280 . . . . .	408
On Senate Bill No. 39 . . . . .	410
On Senate Bill No. 367 . . . . .	422
On Senate Bill No. 155 . . . . .	436
On Senate Bill No. 171 . . . . .	442
On Senate Bill No. 312 . . . . .	493
On Senate Bill No. 400 . . . . .	586
On Senate Bill No. 424 . . . . .	614
On Senate Bill No. 214 . . . . .	676
On Senate Bill No. 430 . . . . .	678
On Senate Bill No. 49 . . . . .	680
On Senate Bill No. 420 . . . . .	686
On Senate Bill No. 339 . . . . .	691
On Senate Bill No. 341 . . . . .	693
On Senate Bill No. 258 . . . . .	732
On Senate Bill No. 429 . . . . .	761
On Senate Bill No. 61 . . . . .	774
On Senate Bill No. 441 . . . . .	779
On Senate Bill No. 314 . . . . .	795
On Senate Bill No. 426 . . . . .	796
On Senate Bill No. 422 . . . . .	891
On Senate Bill No. 433 . . . . .	948
On Senate Bill No. 461 . . . . .	960
On Senate Bill No. 421 . . . . .	961
On Senate Bill No. 444 . . . . .	961

**SENATE ROLL-CALLS—Continued.****Page.**

On Senate Bill No. 444 . . . . .	962
On Senate Bill No. 462 . . . . .	969
On Senate Bill No. 463 . . . . .	971
On Senate Bill No. 458 . . . . .	1025
On Senate Bill No. 434 . . . . .	1049
On Senate Bill No. 418 . . . . .	1055
On Senate Bill No. 432 . . . . .	1057
On Senate Bill No. 470 . . . . .	1059
On Senate Bill No. 457 . . . . .	1064
On Senate Bill No. 409 . . . . .	1065
On Senate Bill No. 232 . . . . .	1066
On Senate Bill No. 477 . . . . .	1147

**ON SUSPENSION OF CONSTITUTIONAL RULE—**

On House Bill No. 1 . . . . .	71
On House Bill No. 100 . . . . .	137
On House Bill No. 306 . . . . .	281
On House Bill No. 22 . . . . .	352
On House Bill No. 32 . . . . .	360
On House Bill No. 15 . . . . .	428
On House Bill No. 188 . . . . .	429
On House Bill No. 133 . . . . .	476
On House Bill No. 312 . . . . .	493
On House Bill No. 479 . . . . .	546
On House Bill No. 310 . . . . .	547
On House Bill No. 510 . . . . .	624
On House Bill No. 351 . . . . .	625
On House Bill No. 103 . . . . .	681
On House Bill No. 177 . . . . .	690
On House Bill No. 579 . . . . .	771
On House Bill No. 433 . . . . .	807
On House Bill No. 596 . . . . .	813
On House Bill No. 187 . . . . .	883
On House Bill No. 540 . . . . .	885
On House Bill No. 496 . . . . .	886
On House Bill No. 450 . . . . .	1022
On House Bill No. 496 . . . . .	1023
On House Bill No. 471 . . . . .	1067
On House Bill No. 637 . . . . .	1092
On House Bill No. 542 . . . . .	1105
On House Bill No. 226 . . . . .	1152
On House Bill No. 549 . . . . .	1157
On House Bill No. 429 . . . . .	1164
On House Bill No. 127 . . . . .	1180
On House Bill No. 502 . . . . .	1184
On House Bill No. 526 . . . . .	1192
On House Bill No. 122 . . . . .	1198
On House Bill No. 639 . . . . .	1203
On House Bill No. 603 . . . . .	1219
On House Bill No. 504 . . . . .	1222
On House Bill No. 640 . . . . .	1224
On House Bill No. 366 . . . . .	1226
On House Bill No. 402 . . . . .	1229
On House Bill No. 586 . . . . .	1235
On House Bill No. 477 . . . . .	1237
On House Bill No. 487 . . . . .	1238
On House Bill No. 604 . . . . .	1243
On House Bill No. 380 . . . . .	1244
On House Bill No. 533 . . . . .	1247





## FROM THE HOUSE.

---

	Page.
Bill No. 1 . . . . .	71
Bill No. 100 . . . . .	137
Bill No. 171 . . . . .	153
Bill No. 182 . . . . .	191
Bill No. 214 . . . . .	192
Bill No. 306 . . . . .	281
Bill No. 343 . . . . .	295
Bill No. 351 . . . . .	300
Bill No. 22 . . . . .	303
Bill No. 96 . . . . .	310
Bill No. 115 . . . . .	310
Bill No. 48 . . . . .	325
Bill No. 49 . . . . .	348
Bill No. 189 . . . . .	348
Bill No. 133 . . . . .	353
Bill No. 188 . . . . .	353
Bill No. 190 . . . . .	353
Bill No. 400 . . . . .	353
Bill No. 15 . . . . .	362
Bill No. 177 . . . . .	366
Bill No. 63 . . . . .	370
Bill No. 103 . . . . .	371
Bill No. 105 . . . . .	413
Bill No. 167 . . . . .	437
Bill No. 312 . . . . .	437
Bill No. 424 . . . . .	452
Bill No. 199 . . . . .	461
Bill No. 120 . . . . .	474
Bill No. 87 . . . . .	474
Bill No. 430 . . . . .	487
Bill No. 58 . . . . .	492
Bill No. 244 . . . . .	492
Bill No. 36 . . . . .	516
Bill No. 73 . . . . .	516
Bill No. 77 . . . . .	516
Bill No. 97 . . . . .	516
Bill No. 479 . . . . .	543
Bill No. 510 . . . . .	544
Bill No. 277 . . . . .	551
Bill No. 486 . . . . .	551
Bill No. 44 . . . . .	570
Bill No. 315 . . . . .	570
Bill No. 290 . . . . .	570
Bill No. 209 . . . . .	570
Bill No. 127 . . . . .	570
Bill No. 275 . . . . .	570
Bill No. 144 . . . . .	581
Bill No. 150 . . . . .	581
Bill No. 224 . . . . .	582



## MESSAGES FROM THE HOUSE—Continued.

Page.

Announcing passage of House Bill No. 126 . . . . .	1024
Announcing passage of House Bill No. 484 . . . . .	1024
Announcing passage of House Bill No. 295 . . . . .	1024
Announcing passage of House Bill No. 597 . . . . .	1045
Announcing passage of House Bill No. 342 . . . . .	1075
Announcing passage of House Bill No. 152 . . . . .	1075
Announcing passage of House Bill No. 637 . . . . .	1091
Announcing passage of House Bill No. 176 . . . . .	1092
Announcing passage of House Bill No. 429 . . . . .	1107
Announcing passage of House Bill No. 502 . . . . .	1107
Announcing passage of House Bill No. 294 . . . . .	1107
Announcing passage of House Bill No. 543 . . . . .	1109
Announcing passage of House Bill No. 553 . . . . .	1111
Announcing passage of House Bill No. 122 . . . . .	1111
Announcing passage of House Bill No. 603 . . . . .	1117
Announcing passage of House Bill No. 138 . . . . .	1117
Announcing passage of House Bill No. 568 . . . . .	1123
Announcing passage of House Bill No. 226 . . . . .	1123
Announcing passage of House Bill No. 380 . . . . .	1123
Announcing passage of House Bill No. 564 . . . . .	1142
Announcing passage of House Bill No. 476 . . . . .	1142
Announcing passage of House Bill No. 344 . . . . .	1142
Announcing passage of House Bill No. 324 . . . . .	1142
Announcing passage of House Bill No. 389 . . . . .	1142
Announcing passage of House Bill No. 46 . . . . .	1142
Announcing passage of House Bill No. 451 . . . . .	1142
Announcing passage of House Bill No. 513 . . . . .	1151
Announcing passage of House Bill No. 613 . . . . .	1151
Announcing passage of House Bill No. 520 . . . . .	1159
Announcing passage of House Bill No. 504 . . . . .	1163
Announcing passage of House Bill No. 487 . . . . .	1163
Announcing passage of House Bill No. 577 . . . . .	1165
Announcing passage of House Bill No. 370 . . . . .	1165
Announcing passage of House Bill No. 10 . . . . .	1165
Announcing passage of House Bill No. 470 . . . . .	1165
Announcing passage of House Bill No. 492 . . . . .	1165
Announcing passage of House Bill No. 368 . . . . .	1165
Announcing passage of House Bill No. 452 . . . . .	1165
Announcing passage of House Bill No. 419 . . . . .	1165
Announcing passage of House Bill No. 491 . . . . .	1165
Announcing passage of House Bill No. 586 . . . . .	1168
Announcing passage of House Bill No. 604 . . . . .	1170
Announcing passage of House Bill No. 399 . . . . .	1176
Announcing passage of House Bill No. 538 . . . . .	1176
Announcing passage of House Bill No. 563 . . . . .	1179
Announcing passage of House Bill No. 319 . . . . .	1186
Announcing passage of House Bill No. 521 . . . . .	1186
Announcing passage of House Bill No. 402 . . . . .	1199
Announcing passage of House Bill No. 639 . . . . .	1199
Announcing passage of House Bill No. 477 . . . . .	1199
Announcing passage of House Bill No. 431 . . . . .	1210
Announcing passage of House Bill No. 554 . . . . .	1210
Announcing passage of House Bill No. 223 . . . . .	1210
Announcing passage of House Bill No. 641 . . . . .	1214
Announcing passage of House Bill No. 640 . . . . .	1214
Announcing passage of House Bill No. 565 . . . . .	1214
Announcing passage of House Bill No. 625 . . . . .	1218
Announcing passage of House Bill No. 578 . . . . .	1218
Announcing passage of House Bill No. 220 . . . . .	1227
Announcing passage of House Bill No. 566 . . . . .	1227
Enrolled House Act, session of 1895, No. 285 . . . . .	1231
Engrossed House Bill No. 530 . . . . .	1240
Engrossed House Bill No. 533 . . . . .	1240



## MESSAGES FROM THE HOUSE—Continued.

Page.

Announcing passage of Senate Bill No. 312 . . . . .	1165
Announcing passage of Senate Bill No. 309 . . . . .	1165
Announcing passage of Senate Bill No. 266 . . . . .	1176
Announcing passage of Senate Bill No. 413 . . . . .	1176
Announcing passage of Senate Bill No. 40 . . . . .	1176
Announcing passage of Senate Bill No. 280 . . . . .	1176
Announcing passage of Senate Bill No. 245 . . . . .	1176
Announcing passage of Senate Bill No. 235 . . . . .	1176
Announcing passage of Senate Bill No. 461 . . . . .	1176
Announcing passage of Senate Bill No. 442 . . . . .	1189
Announcing passage of Senate Bill No. 199 . . . . .	1199
Announcing passage of Senate Bill No. 426 . . . . .	1199
Announcing passage of Senate Bill No. 254 . . . . .	1199
Announcing passage of Senate Bill No. 8 . . . . .	1199
Announcing passage of Senate Bill No. 39 . . . . .	1199
Announcing passage of Senate Bill No. 19 . . . . .	1209
Announcing passage of Senate Bill No. 451 . . . . .	1210
Announcing passage of Senate Bill No. 300 . . . . .	1210
Announcing passage of Senate Bill No. 494 . . . . .	1210
Announcing passage of Senate Bill No. 353 . . . . .	1217
Announcing passage of Senate Bill No. 257 . . . . .	1226
Announcing passage of Senate Bill No. 207 . . . . .	1226
Announcing passage of Senate Bill No. 251 . . . . .	1226
Announcing passage of Senate Bill No. 63 . . . . .	1226
Announcing passage of Senate Bill No. 471 . . . . .	1231
Announcing passage of Senate Bill No. 385 . . . . .	1231
Announcing passage of Senate Bill No. 105 . . . . .	1231
Announcing passage of Senate Bill No. 401 . . . . .	1231
Announcing passage of Senate Bill No. 281 . . . . .	1240
Announcing passage of Senate Bill No. 390 . . . . .	1240
Announcing passage of Senate Bill No. 154 . . . . .	1210
Announcing passage of Senate Bill No. 458 . . . . .	1240
Announcing passage of Senate Bill No. 441 . . . . .	1240
Announcing passage of Senate Bill No. 120 . . . . .	1240
Announcing passage of Senate Bill No. 111 . . . . .	1241
Announcing passage of Senate Bill No. 360 . . . . .	1241
Announcing passage of Senate Bill No. 311 . . . . .	1254
Announcing passage of Senate Bill No. 190 . . . . .	1254
Announcing passage of Senate Bill No. 119 . . . . .	1254
Announcing passage of Senate Bill No. 260 . . . . .	1254
Engrossed Senate Joint Resolution No. 5 . . . . .	1254
Engrossed Senate Bill No. 148 . . . . .	1267
Announcing adoption of House Concurrent Resolution No. 1 . . . . .	95
Announcing adoption of House Concurrent Resolution No. 4 . . . . .	144
Announcing adoption of House Concurrent Resolution No. 6 . . . . .	185
Announcing adoption of House Concurrent Resolution No. 7 . . . . .	185
Announcing adoption of House Concurrent Resolution No. 8 . . . . .	224
Announcing adoption of House Concurrent Resolution No. 10 . . . . .	224
Announcing adoption of House Concurrent Resolution No. 11 . . . . .	225
Announcing adoption of House Concurrent Resolution No. 3 . . . . .	268
Announcing adoption of House Concurrent Resolution No. 8 . . . . .	269
Announcing adoption of House Concurrent Resolution No. 12 . . . . .	300
Announcing adoption of House Concurrent Resolution No. 14 . . . . .	348
Announcing adoption of House Concurrent Resolution No. 15 . . . . .	453
Announcing adoption of House Concurrent Resolution No. 18 . . . . .	823
Announcing adoption of House Concurrent Resolution No. 19 . . . . .	1117
Announcing adoption of House Concurrent Resolution No. 20 . . . . .	1199
Announcing adoption of House Concurrent Resolution No. 22 . . . . .	1227
Announcing adoption of House Concurrent Resolution No. 23 . . . . .	1227
Announcing adoption of House Concurrent Resolution No. 24 . . . . .	1127
Announcing adoption of House Concurrent Resolution No. 25 . . . . .	1271
Announcing adoption of Senate Concurrent Resolution No. 6 . . . . .	185
Announcing adoption of Senate Concurrent Resolution No. 2 . . . . .	268



## HOUSE—Continued.

## Page.

Signature of Speaker to House Enrolled Act No. 115 . . . . .	1100
Signature of Speaker to House Enrolled Act No. 120 . . . . .	1100
Signature of Speaker to House Enrolled Act No. 495 . . . . .	1100
Signature of Speaker to House Enrolled Act No. 387 . . . . .	1100
Signature of Speaker to House Enrolled Act No. 96 . . . . .	1106
Signature of Speaker to House Enrolled Act No. 97 . . . . .	1106
Signature of Speaker to House Enrolled Act No. 429 . . . . .	1106
Signature of Speaker to House Enrolled Act No. 264 . . . . .	1142
Signature of Speaker to House Enrolled Act No. 87 . . . . .	1142
Signature of Speaker to House Enrolled Act No. 77 . . . . .	1151
Signature of Speaker to House Enrolled Act No. 249 . . . . .	1151
Signature of Speaker to House Enrolled Act No. 97 . . . . .	1151
Signature of Speaker to House Enrolled Act No. 44 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 105 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 142 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 144 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 189 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 230 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 237 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 245 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 300 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 484 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 584 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 637 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 110 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 111 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 275 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 580 . . . . .	1165
Signature of Speaker to House Enrolled Act No. 92 . . . . .	1176
Signature of Speaker to House Enrolled Act No. 308 . . . . .	1176
Signature of Speaker to House Enrolled Act No. 101 . . . . .	1176
Signature of Speaker to House Enrolled Act No. 186 . . . . .	1189
Signature of Speaker to House Enrolled Act No. 236 . . . . .	1189
Signature of Speaker to House Enrolled Act No. 239 . . . . .	1189
Signature of Speaker to House Enrolled Act No. 544 . . . . .	1189
Signature of Speaker to House Enrolled Act No. 190 . . . . .	1189
Signature of Speaker to Senate Enrolled Act No. 444 . . . . .	1189
Signature of Speaker to Senate Enrolled Act No. 327 . . . . .	1189
Signature of Speaker to Senate Enrolled Act No. 24 . . . . .	1189
Signature of Speaker to Senate Enrolled Act No. 37 . . . . .	1189
Signature of Speaker to Senate Enrolled Act No. 61 . . . . .	1189
Signature of Speaker to Senate Enrolled Act No. 416 . . . . .	1210
Signature of Speaker to Senate Enrolled Act No. 413 . . . . .	1210
Signature of Speaker to Senate Enrolled Act No. 334 . . . . .	1210
Signature of Speaker to Senate Enrolled Act No. 245 . . . . .	1210
Signature of Speaker to Senate Enrolled Act No. 235 . . . . .	1210
Signature of Speaker to Senate Enrolled Act No. 195 . . . . .	1210
Signature of Speaker to Senate Enrolled Act No. 160 . . . . .	1210
Signature of Speaker to Senate Enrolled Act No. 13 . . . . .	1210
Signature of Speaker to House Enrolled Act No. 549 . . . . .	1211
Signature of Speaker to House Enrolled Act No. 147 . . . . .	1218
Signature of Speaker to House Enrolled Act No. 167 . . . . .	1218
Signature of Speaker to House Enrolled Act No. 542 . . . . .	1218
Signature of Speaker to House Enrolled Act No. 157 . . . . .	1218
Signature of Speaker to House Enrolled Act No. 502 . . . . .	1218
Signature of Speaker to House Bill No. 76 . . . . .	1218
Signature of Speaker to House Bill No. 226 . . . . .	1218
Signature of Speaker to Senate Bill No. 421 . . . . .	1230
Signature of Speaker to Senate Bill No. 462 . . . . .	1230
Signature of Speaker to Senate Bill No. 11 . . . . .	1230
Signature of Speaker to Senate Bill No. 65 . . . . .	1230
Signature of Speaker to Senate Bill No. 162 . . . . .	1230
Signature of Speaker to Senate Bill No. 280 . . . . .	1230





**EOUS.**

	<b>Page.</b>
<b>ote for Governor and Lieutenant-</b>	
. . . . .	<b>66</b>
<b>l No. 1 . . . . .</b>	<b>106</b>
. . . . .	<b>291</b>
. . . . .	<b>487</b>
. . . . .	<b>487</b>
<b>. 510 . . . . .</b>	<b>875</b>
. . . . .	<b>894</b>
. . . . .	<b>902</b>
<b>n House Bill No. 603 . . . . .</b>	<b>1267</b>

104  
172  
206  
286  
361  
361  
361  
400  
461  
545  
697  
698  
711  
711  
711  
770  
928  
928  
928  
928  
929  
929  
994  
995  
020  
029  
029  
029  
077  
379  
379  
379  
149  
149  
150  
198  
199  
199  
306  
306  
306  
309  
309  
322  
23  
23  
23  
23  
23  
22

## MESSAGES FROM THE GOVERNOR—Continued.

## Page.

has disapproved Senate Act No. 327 . . . . .	1224
has disapproved Senate Act No. 434 . . . . .	1268
has approved and signed Senate Act No. 462 . . . . .	1269
has approved and signed Senate Act No. 421 . . . . .	1270
has approved and signed Senate Act No. 337 . . . . .	1270
has approved and signed Senate Act No. 11 . . . . .	1270
has approved and signed Senate Act No. 334 . . . . .	1270
has disapproved Senate Act No. 280 . . . . .	1270
has disapproved Senate Act No. 451 . . . . .	1277
has approved and signed Senate Act No. 442 . . . . .	1278
has approved and signed Senate Act No. 65 . . . . .	1278
has approved and signed Senate Act No. 199 . . . . .	1278
has approved and signed Senate Act No. 300 . . . . .	1278
has approved and signed Senate Act No. 19 . . . . .	1278
has approved and signed Senate Act No. 254 . . . . .	1278
has approved and signed Senate Act No. 426 . . . . .	1278
has approved and signed Senate Act No. 251 . . . . .	1278
has approved and signed Senate Act No. 471 . . . . .	1278
has approved and signed Senate Act No. 385 . . . . .	1278
has approved and signed Senate Act No. 154 . . . . .	1279
has approved and signed Senate Act No. 63 . . . . .	1279
has approved and signed Joint Resolution No. 5 . . . . .	1279
has approved Senate Act No. 353 . . . . .	1279
has approved and signed Senate Act No. 162 . . . . .	1280
has approved and signed Senate Act No. 8 . . . . .	1280
has approved and signed Senate Act No. 309 . . . . .	1280
has approved and signed Senate Act No. 441 . . . . .	1280
has approved and signed Senate Act No. 360 . . . . .	1280
has approved and signed Senate Act No. 111 . . . . .	1281
has named Geo. A. H. Shideler member of Board of Control Indiana Reform School for Boys . . . . .	1281
has thanked for courtesy of Senate . . . . .	1284
has approved Senate Act No. 405 . . . . .	1285
has approved and signed Senate Act No. 342 . . . . .	1285
has approved and signed Senate Act No. 266 . . . . .	1285
has approved and signed Senate Bill No. 260 . . . . .	1285
has approved and signed House Bill No. 120 . . . . .	1285
has approved and signed Senate Act No. 39 . . . . .	1285
has approved and signed Senate Act No. 458 . . . . .	1286
has approved and signed Senate Act No. 119 . . . . .	1286
has approved and signed Senate Act No. 90 . . . . .	1286
has approved Senate Act No. 434 . . . . .	1288
has approved and signed Senate Act No. 311 . . . . .	1289
has approved and signed Senate Act No. 390 . . . . .	1289
has approved and signed Senate Act No. 148 . . . . .	1289
has approved and signed Senate Act No. 207 . . . . .	1289
has approved and signed Senate Act No. 401 . . . . .	1289
has approved and signed Senate Act No. 357 . . . . .	1290
has approved and signed Concurrent Resolution No. 12 . . . . .	1290
has approved and signed Joint Resolution No. 4 . . . . .	1290



## ITS OF COMMITTEE OF ONE.

ITTEE OF ONE—	Page.
Senate Bill No. 97 . . . . .	319
Senate Bill No. 119 . . . . .	323
Senate Bill No. 47 . . . . .	331
Senate Bill No. 146 . . . . .	439
Senate Bill No. 170 . . . . .	462
Senate Bill No. 165 . . . . .	495
on Senate Bill No. 65 . . . . .	544
Senate Bill No. 40 . . . . .	548
on Senate Bill No. 106 . . . . .	559
on Senate Bill No. 171 . . . . .	567
on Senate Bill No. 65 . . . . .	573
Senate Bill No. 185 . . . . .	589
Senate Bill No. 117 . . . . .	623
Senate Bill No. 189 . . . . .	640
Senate Bill No. 117 . . . . .	737
Senate Bill No. 43 . . . . .	756
Senate Bill No. 61 . . . . .	774
te, on Senate Bill No. 95 . . . . .	805
on Senate Bill No. 291 . . . . .	811
n, on Senate Bill No. 10 . . . . .	822
on Senate Bill No. 263 . . . . .	825
Senate Bill No. 441 . . . . .	837
Senate Bill No. 443 . . . . .	862
on Senate Bill No. 195 . . . . .	894
on Senate Bill No. 191 . . . . .	897
r, on Senate Bill No. 305 . . . . .	913
on Senate Bill No. 117 . . . . .	953
reys, on Senate Bill No. 434 . . . . .	955
on Senate Bill No. 401 . . . . .	974
1, on Senate Bill No. 90 . . . . .	979
1, on Senate Bill No. 148 . . . . .	988
ry, on House Bill No. 387 . . . . .	1006
1, on Senate Bill No. 233 . . . . .	1007
n, on Senate Bill No. 148 . . . . .	1034
ns, on Senate Bill No. 294 . . . . .	1046
ette, on Senate Bill No. 234 . . . . .	1065
t, on House Bill No. 480 . . . . .	1100
on House Bill No. 44 . . . . .	1125
t, on House Bill No. 236 . . . . .	1135
r, on House Bill No. 186 . . . . .	1145
t, on House Bill No. 385 . . . . .	1153
en, on House Bill No. 147 . . . . .	1161
rt, on House Bill No. 114 . . . . .	1190
y, on Senate Bill No. 353 . . . . .	1202

# **SUBSTITUTE SENATE BILLS.**

---

## **SUBSTITUTE SENATE BILLS—**

	<b>Page.</b>
For Senate Bill No. 36 . . . . .	140
For Senate Bill No. 96 . . . . .	159
For Senate Bill No. 99 . . . . .	160
For Senate Bill No. 65 . . . . .	174
For Senate Bill No. 119 . . . . .	214
For Senate Bill No. 67 . . . . .	215
For Senate Bill No. 19 . . . . .	239
For Senate Bill No. 65 . . . . .	373
For Senate Bill No. 265 . . . . .	375
For Senate Bill No. 195 . . . . .	393
For Senate Bill No. 61 . . . . .	405
For Senate Bill No. 176 . . . . .	421
For Senate Bill No. 279 . . . . .	425
For Senate Bill No. 185 . . . . .	464
For Senate Bill No. 202 . . . . .	478
For Senate Bill No. 169 . . . . .	485
For Senate Bill No. 53 . . . . .	496
For Senate Bill No. 291 . . . . .	501
For Senate Bill No. 150 . . . . .	509
For Senate Bill No. 177 . . . . .	577
For Senate Bill No. 69 . . . . .	605
For Senate Bill No. 9 . . . . .	608
For Senate Bill No. 117 . . . . .	615
For Senate Bill No. 94 . . . . .	650
For Senate Bill No. 95 . . . . .	655
For Senate Bill No. 108 . . . . .	663
For House Bill No. 277 . . . . .	688
For Senate Bill No. 198 . . . . .	723
For Senate Bill No. 284 . . . . .	763
For Senate Bill No. 413 . . . . .	783
For Senate Bill No. 57 . . . . .	785
For House Bill No. 433 . . . . .	806
For Senate Bill No. 419 . . . . .	819
For Senate Bill No. 354 . . . . .	829
For Senate Bill No. 303 . . . . .	887
For Senate Bill No. 198 . . . . .	900
For Senate Bill No. 283 . . . . .	910
For Senate Bill No. 401 . . . . .	943
For Senate Bill No. 148 . . . . .	1008
For Senate Bill No. 295 . . . . .	1021
For Senate Bill No. 194 . . . . .	1035
For Senate Bill No. 262 . . . . .	1148
For Senate Bill No. 310 . . . . .	1203
For Senate Bill No. 402 . . . . .	1245
For Senate Bill No. 379 . . . . .	1245

## MISCELLANEOUS INDEX.

### MISCELLANEOUS—

	Page.
Organization of the Senate . . . . .	3
Election of Principal Secretary . . . . .	6
Election of Assistant Secretary . . . . .	7
Election of Doorkeeper . . . . .	7
Committee appointed to notify the Governor . . . . .	8
Election of President <i>pro tem</i> . . . . .	8
Appeal from the decision of the President . . . . .	8
Notice of contest of election, Culbert <i>vs</i> Rogers . . . . .	9
Committee appointed to notify the House of organization of Senate . . . . .	12
Committee appointed to notify the Governor of organization of Senate . . . . .	12
Standing Joint Committee on Rules . . . . .	12
Appointment of D. V. Smythe, Leo Lefkovitski and Will Ford as pages . . . . .	12
Appointment of Special Committee on Prisons . . . . .	13
Petition concerning ditches in more than one county . . . . .	14
Culbert-Rogers contest papers referred . . . . .	14
Petition concerning improvement of Kankakee River . . . . .	14
Petition to prevent hunting quails . . . . .	14
Organization of the House reported . . . . .	23
Joint session to receive Governor's message . . . . .	23
Committee to notify Governor of joint session . . . . .	23
Message of the Governor . . . . .	24
Presentation of memento to Lieutenant-Governor Nye . . . . .	57
Abstract of vote for Governor and Lieutenant-Governor . . . . .	68
James A. Mount declared duly elected Governor . . . . .	70
William S. Haggard declared duly elected Lieutenant-Governor . . . . .	70
William S. Haggard inaugurated Lieutenant-Governor . . . . .	72
William S. Haggard's inaugural address . . . . .	72
James A. Mount inaugurated Governor . . . . .	74
James A. Mount's inaugural address . . . . .	74
Standing Committees of the Senate announced . . . . .	83, 84, 85, 86
Appointment of Will H. Ford, Paul Winings and Harry Carter as pages . . . . .	86
Leave of absence granted to Senators Stroup and Shea . . . . .	86
Petition concerning compulsory education . . . . .	90
Petition for \$1,000 for monument at Pigeon Roost . . . . .	108
Report of Committee on Mileage . . . . .	111
Appointment of Otto Zell, Byron LaFollette pages . . . . .	121
Appointment of Delbert H. Moulder messenger . . . . .	121
Report of Commission on Penal Institutions . . . . .	122
Senate receives and hears Generals Simeon B. Buckner and Lew Wallace . . . . .	133
Report of Committee on Joint Rules . . . . .	151
Senators LaFollette and Shea added to Committee on Judiciary . . . . .	153
Announcement of Standing Committee on Building and Loans . . . . .	153
Senator Humphreys excused on account of sickness . . . . .	153
Leave of absence granted to Senators Hubbell and Bobilya . . . . .	166
Senate rule No. 9 suspended . . . . .	167
Memorial concerning County and State Superintendents . . . . .	173
Joint session to canvass vote for United States Senator . . . . .	208
Charles W. Fairbanks declared elected United States Senator . . . . .	208
Vote of Senate for United States Senator . . . . .	219
House Concurrent Resolution No. 8 . . . . .	225



## MISCELLANEOUS—Continued.

Page.

House Concurrent Resolution No. 10 . . . . .	226
House Concurrent Resolution No. 11 . . . . .	227
Adoption of House Concurrent Resolution No. 10 . . . . .	234
Adoption of House Concurrent Resolution No. 11 . . . . .	234
Report of Special Committee on Rules . . . . .	234
Petition concerning improvement of Kankakee River . . . . .	247
House Concurrent Resolution No. 3 . . . . .	255
Petition to extend term of Township Trustees . . . . .	266
Substitute offered for House Concurrent Resolution No. 8 . . . . .	269
Members of Committee on Benevolent Institutions excused . . . . .	273
Petition concerning cigarettes . . . . .	283
Petition concerning cigarettes . . . . .	284
Petition concerning compulsory education . . . . .	286
Petition concerning toll system of millers . . . . .	286
Adoption of House Concurrent Resolution No. 12 . . . . .	302
Petition for Pigeon Roost monument . . . . .	306
Investigation Committee, Prison North . . . . .	309
Petition concerning fish law . . . . .	311
Investigation Committee, Vandalia Ry. . . . .	319
Engrossed House Bill No. 32, substituted for Senate Bill No. 18 . . . . .	325
Recess for 20 minutes . . . . .	326
Contest of Culbert vs. Rogers . . . . .	328
Petition concerning cigarettes . . . . .	337
Petition concerning cigarettes . . . . .	343
Petition concerning cigarettes . . . . .	346
Substitution of House Bill No. 22 for Senate Bill No. 55 . . . . .	352
Contest of Culbert vs. Rogers . . . . .	354
Uriah Culbert sworn in as Senator . . . . .	356
Petition concerning Sunday base ball . . . . .	358
Communication from Secretary of State with vetoed acts of session of 1895 . . . . .	382
Veto messages of acts of Fifty-eighth Session from Governor Matthews . . . . .	384
Ruling of Lieutenant-Governor Haggard on subdivision 6 of rule 64 . . . . .	391
Petition concerning the practice of medicine . . . . .	404
Joint committee on House Concurrent Resolution No. 7 . . . . .	432
Petition concerning the playing of foot ball . . . . .	451
Petition concerning educational matters . . . . .	454
Petition concerning cigarettes . . . . .	455
Adoption of House Concurrent Resolution No. 15 . . . . .	456
Adjourned through respect death of the son of Senator Schneck . . . . .	457
Hon. J. C. Lawler addresses the Senate . . . . .	460
Concerning Senate Bill No. 220 . . . . .	524
Concerning cigarette manufacture . . . . .	579
Auditor of State's report . . . . .	667
Amending Senate Rule No. 16 . . . . .	672
Civil government class of Central Indiana Normal . . . . .	706
Joaquin Miller and James Whitcomb Riley address the Senate . . . . .	709
Senator Newby on question of personal privilege . . . . .	758
Concurrence in House Concurrent Resolution No. 18 . . . . .	868
Amendments to Senate Bill No. 25 . . . . .	869
Report of Investigation Committee Vandalia Railway . . . . .	907
Veto message of Governor Mount Senate Bills Nos. 2 and 21 . . . . .	995
Generals Mulkey and Wallace and Governor Mount address the Senate . . . . .	1002
Lieutenant-Governor Haggard decorated Mexican War Veteran . . . . .	1003
Substitution of House Bill No. 387 for Senate Bill No. 287 . . . . .	1006
Senate in Committee of the Whole . . . . .	1169
Committee of the Whole, arises and reports progress . . . . .	1170
Senate in Committee of the Whole . . . . .	1178
Committee arises . . . . .	1179
House Concurrent Resolution No. 22 . . . . .	1227
House Concurrent Resolution No. 23 . . . . .	1228
House Concurrent Resolution No. 25 . . . . .	1228
Veto message with House Bill No. 285—session of 1895 . . . . .	1234
Senators Mull, Hegate and Bobilya made conferees . . . . .	1241

**MISCELLANEOUS—Continued.**

	<b>Page.</b>
Report of the Committee of the Whole . . . . .	1248
Report of Conference Committee on House Bill No. 603 . . . . .	1273
Committee to wait upon the Governor . . . . .	1274
Rising vote of thanks to President Haggard . . . . .	1276
Vote of thanks to Chas. E. Shiveley, President Pro Tem . . . . .	1276
Senate approves the nomination of G. A. H. Shideler . . . . .	1281
Message of thanks received from the Governor . . . . .	1284
Senators Gilbert, Shea and Hawkins—Commission Resolution No. 62. . . . .	1286
Senators Hugg, Gilbert and Drummond and Assistant-Secretary Egnew—Com- mission Resolution No. 61 . . . . .	1287
Senators Hawkins, Sweeney and Newby, committee to wait upon the House . . .	1287
Lieutenant-Governor presents gavel to Sycamore Literary Society . . . . .	1287
Senators Hawkins, Gostlin and Alexander, committee to wait upon the House .	1288
Detailed report of warrants drawn . . . . .	1291
Final adjournment . . . . .	1304

# SENATE BILLS.

---

**No. 1. Introduced by SENATOR BETHELL, January 8, 1897—**

“A bill for an act fixing the time of holding Circuit Court in the Fifty-seventh Judicial Circuit, composed of the counties of Dubois and Pike.”	<b>Page.</b>
Read first time and referred to Committee on Organization of Courts . . . . .	15
Reported back favorably . . . . .	162
Constitutional rule suspended . . . . .	162
Read second time and considered engrossed . . . . .	162
Read third time and passed . . . . .	162

**No. 2. Introduced by SENATOR BOBILYA, January 8, 1897—**

“A bill for a act making it unlawful to use for testing the weight, grade or value of wheat any measure other than the standard half bushel furnished by the United States.”	
Read first time and referred to Committee on Cities and Towns . . . . .	15
Reported back and re-referred to Committee on Agriculture . . . . .	164
Reported back majority and minority reports . . . . .	210
Read second time, amended and ordered engrossed . . . . .	290
Reconsidered, amended and ordered engrossed . . . . .	305
Read third time and passed . . . . .	311
Returned from House . . . . .	741
Reported by Committee on Enrolled Bills . . . . .	758
Signed by the Speaker . . . . .	903
Deposited without Governor's signature . . . . .	994

**No. 3. Introduced by SENATOR BOZEMAN, January 8, 1897—**

“A bill for an act fixing time of holding Circuit Court in the Eleventh Judicial Circuit.”	
Read first time and referred to Committee on Organization of Courts. . . . .	15
Constitutional rule suspended. . . . .	62
Read second time and ordered engrossed . . . . .	62
Read third time and passed . . . . .	62
Returned to House. . . . .	639
Reported from Committee on Enrolled Bills . . . . .	675

**No. 4. Introduced by SENATOR COLLETT, January 8, 1897—**

“A bill for an act regulating the procedure of County Commissioners in the construction and repair of bridges.”	
Read first time and referred to Committee on County and Township Business	15
Reported back, recommending amendment . . . . .	377
Read second time and ordered engrossed. . . . .	527
Signed by the Speaker . . . . .	1240

**No. 5. Introduced by SENATOR EARLY, January 8, 1897—**

“A bill for an act regulating the arrest and surrender of fugitives from other States, etc.”	
Read first time and referred to Committee on Judiciary . . . . .	15
Reported back favorably and report adopted. . . . .	110
Made special order for Monday, January 18 . . . . .	167
Read second time and amended. . . . .	167
Amended. . . . .	191
Read third time and passed . . . . .	192
Returned from House, amended. . . . .	741
Amendments concurred in . . . . .	741
Reported by Committee on Enrolled Bills . . . . .	773
Signed by the Speaker . . . . .	903
Signed by the Governor . . . . .	928

## No. 6. Introduced by SENATOR ELLISON, January 8, 1897—

"A bill for an act authorizing the sale of bonds to build court houses in certain cases, etc."	Page.
Read first time . . . . .	16
Read second time and considered engrossed . . . . .	16
Read third time and passed . . . . .	16, 17
Returned from House amended . . . . .	362
Senate concurred in amendments. . . . .	364
Reported by Committee on Enrolled Bills . . . . .	412

## No. 7. Introduced by SENATOR GOSTLIN, January 8, 1897—

"A bill for an act authorizing Township Trustees to make additional road tax levies for the purpose of liquidating road indebtedness in certain cases specified."	
Read first time and referred to Committee on County and Township Business	17
Reported back recommending indefinite postponement and report adopted .	176

## No. 8. Introduced by SENATOR HOGATE, January 8, 1897—

"A bill for an act to amend section 2031 R. S., of 1881, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	17
Reported back favorably and report adopted . . . . .	111
Read second time and ordered engrossed . . . . .	169
Read third time and passed . . . . .	201
Title amended . . . . .	202
Ordered re-engrossed . . . . .	705
Returned from House . . . . .	1199
Signed by Governor . . . . .	1280
Reported by Committee on Enrolled Bills . . . . .	1233

## No. 9. Introduced by SENATOR HOUGHTON, January 8, 1897—

"A bill for an act amending sections 72, 126 and 129 of an act fixing the compensation and duties of State and county officers, and declaring an emergency."	
Read first time and referred to Committee on Fees and Salaries. . . . .	17
Reported back substitute, report adopted. . . . .	607, 608
Read second time and ordered engrossed . . . . .	875

## No. 10. Introduced by SENATOR HOUGHTON, January 8, 1897—

"A bill for an act concerning the widening of public highways along section, half and quarter section, donating and locating lines, and providing for the removal of buildings therefrom, and declaring an emergency."	
Read first time and referred to Committee on Roads. . . . .	18
Reported back favorably and report adopted. . . . .	163
Read second time, amended and ordered engrossed . . . . .	205
Read third time . . . . .	324
Failed to pass . . . . .	326
Vote reconsidered . . . . .	364
Re-committed to author for amendment . . . . .	364
Reported back and report adopted . . . . .	822

## No. 11. Introduced by SENATOR HOUGHTON, January 8, 1897—

"A bill for an act amending section 2076 of Burns' Revised Statutes 1894, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	18
Reported back favorably . . . . .	110
Read second time and ordered engrossed . . . . .	170
Read third time and passed . . . . .	203
Returned from House . . . . .	1165
Signed by the Speaker . . . . .	1230
Reported by Committee on Enrolled Bills . . . . .	1216
Signed by the Governor . . . . .	1270

## No. 12. Introduced by SENATOR HOUGHTON, January 8, 1897—

"A bill for an act amending an act prescribing the duties of railroad companies, and declaring an emergency."	Page.
Read first time and referred to Committee on Railroads . . . . .	18
Reported back favorably and report adopted . . . . .	244
Read second time and ordered engrossed . . . . .	295
Read third time and passed . . . . .	568

## No. 13. Introduced by SENATOR HUBBELL, January 8, 1897—

"A bill for an act amending the act providing for the incorporation of street railroad companies, and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	19
Reported back favorably and report adopted . . . . .	164
Read second time, amended and ordered engrossed . . . . .	199
Read third time and passed . . . . .	203
Returned from House . . . . .	1165
Signed by the Speaker . . . . .	1210
Reported by Committee on Enrolled Bills . . . . .	1206
Signed by the Governor . . . . .	1222

## No. 14. Introduced by SENATOR HUBBELL, January 8, 1897—

"A bill for an act defining the Thirty-fourth and Thirty-fifth Judicial Circuits, fixing the terms therein and length thereof, providing for the return of process and repealing conflicting laws."	
Read first time and referred to Committee on Organization of Courts . . . . .	19

## No. 15. Introduced by SENATOR JOHNSTON of Dearborn, January 8, 1897—

"A bill for an act amending section 62 of an act concerning proceedings in criminal cases, same being section 1635, R. S. 1881."	
Read first time and referred to Committee on Judiciary . . . . .	19
Reported back favoring indefinite postponement and report adopted . . . . .	110

## No. 16. Introduced by SENATOR LAFOLLETTE, January 8, 1897—

"A bill for an act defining the 26th Judicial Circuit and creating and defining the 58th Judicial Circuit, fixing time for holding court, etc., and declaring an emergency."	
Read first time and referred to Committee on Organization of Courts . . . . .	19
Reported back favorably and report adopted . . . . .	109
Read second time . . . . .	168
Read third time and passed . . . . .	189
Returned from the House . . . . .	894
Reported by Committee on Enrolled Bills . . . . .	949
Signed by the Speaker . . . . .	960
Vetoed by the Governor . . . . .	935
Made special order . . . . .	997
Passed over veto . . . . .	1001
Returned from House . . . . .	1106

## No. 17. Introduced by SENATOR LEICH, January 8, 1897—

"A bill for an act fixing the compensation for certain duties of County Auditors, etc., and declaring an emergency."	
Read first time and referred to Committee on Fees and Salaries . . . . .	20
Reported back . . . . .	1267

## No. 18. Introduced by SENATOR O'BRIEN, January 8, 1897—

"A bill for an act to amend section 37 of an act and repeal section 75 of an act entitled an act to divide the State into precincts for judicial purposes."	
Read first time and referred to Committee on Organization of Courts . . . . .	20
Reported back favorably and report adopted . . . . .	236
Read second time and ordered engrossed . . . . .	302
House Bill No. 32 substituted . . . . .	360
Substitute Bill No. 32 passed . . . . .	361

**No. 19. Introduced by SENATOR O'BRIEN, January 8, 1897—**

"A bill for an act declaring what are partition fences, and providing for the building and repairs and maintenance of such fences, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on County and Township Business.	20
Reported back substitute, adopted . . . . .	238
Read second time and ordered engrossed . . . . .	389
Read third time . . . . .	456
Made special order for February 4 . . . . .	456
Read third time and passed . . . . .	474, 475
Returned from House amended . . . . .	1209
House amendments concurred in . . . . .	1209
Signed by the Speaker . . . . .	1240
Reported by Committee on Enrolled Bills . . . . .	1220
Signed by the Governor . . . . .	1278

**No. 20. Introduced by SENATOR O'BRIEN, January 8, 1897—**

"A bill for an act creating a Board of Control of Public Buildings and Property, etc., and their compensation, etc., and declaring an emergency."	
Read first time and referred to Committee on Public Buildings . . . . .	21
Reported back and indefinitely postponed . . . . .	495

**No. 21. Introduced by SENATOR PHARES, January 8, 1897—**

"A bill for an act in regard to taxation, etc., and declaring an emergency."	
Read first time and constitutional rule suspended . . . . .	21
Read second time . . . . .	22
Read third time and passed . . . . .	22
Returned from House . . . . .	741
Senate concurred in amendments . . . . .	799
Reported by Committee on Enrolled Bills . . . . .	896
Signed by the Speaker . . . . .	903
Deposited with the Secretary of State without Governor's signature . . . . .	995

**No. 22. Introduced by SENATOR NEWBY, January 8, 1897—**

"A bill for an act concerning and regulating building, loan fund and savings associations and the fees and charges thereof, prescribing certain duties of officers, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	22
Reported back, recommitting to Committee on Building and Loan Associations . . . . .	233
Reported back unfavorably and report adopted . . . . .	768

**No. 23. Introduced by SENATOR SCHNECK, January 8, 1897—**

"A bill for an act concerning the education of children."	
Read first time and referred to Committee on Education . . . . .	58
Motion to have committee report . . . . .	366
Reported back favorably and report adopted . . . . .	420
Read second time and ordered engrossed . . . . .	1182

**No. 24. Introduced by SENATOR WOOD, January 8, 1897—**

"A bill for an act to amend sections 4, 10 and 17 of an act to establish Indiana State Soldiers' Home, also defining the duties of the surgeon of such home, etc., and declaring an emergency."	
Read first time and referred to Committee on Benevolent Institutions . . . . .	58
Reported back favoring amendment; report adopted . . . . .	433
Read second time and ordered engrossed . . . . .	527
Read third time . . . . .	666
Passed . . . . .	672, 673
Returned from House . . . . .	1141
Reported by Committee on Enrolled Bills . . . . .	1178
Signed by the Speaker . . . . .	1189
Signed by the Governor . . . . .	1208

## No. 25. Introduced by SENATOR HOLLER, January 8, 1897—

"A bill for an act to repeal section 90 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891."		Page.
Read first time and referred to Committee on County and Township Business . . . . .		58
Reported back favorably . . . . .		176
Read second time and amended, striking out enacting clause . . . . .		205
Adopted . . . . .		205

## No. 26. Introduced by SENATOR HOLLER, January 8, 1897—

"A bill for an act concerning the taxation of real estate encumbered by mortgage, etc., and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		59
Reported back; minority report adopted . . . . .		269
Read second time and ordered engrossed . . . . .		411
Read third time and passed . . . . .		824

## No. 27. Introduced by SENATOR HOLLER (by request), January 8, 1897—

"A bill for an act to protect the people of Indiana by requiring all persons selling at retail or compounding for sale at retail any poisons, etc., and declaring an emergency."		
Read first time and referred to Committee on Health . . . . .		59
Reported back unfavorably and report adopted . . . . .		178

## No. 28. Introduced by SENATOR SHIVELEY, January 8, 1897—

"A bill for an act to amend section 56 of an act entitled an act to divide the State into circuits for judicial purposes."		
Read first time and referred to Committee on Organization of Courts . . . . .		59
Constitutional rule suspended. . . . .		59
Read second time . . . . .		60
Read third time and passed . . . . .		60
Returned from House . . . . .		121
Reported by Committee on Enrolled Bills . . . . .		139
Signed by Lieutenant-Governor . . . . .		148
Signed by the Governor . . . . .		172

## No. 29. Introduced by SENATOR SHIVELEY, January 8, 1897—

"A bill for an act to define trusts and conspiracies against trade, declaring the same unlawful, and declaring contracts in violation of the provisions of this act void."		
Read first time and referred to Committee on Judiciary . . . . .		61
Reported back four reports; reports held and. . . . .		271
Made special order for February 2 . . . . .		369
Made special order for February 3 . . . . .		417
Recommitted . . . . .		458
Reported back, majority and minority reports . . . . .	746, 747	
Minority report withdrawn . . . . .		749
Majority report favoring passage adopted. . . . .		749
Read second time and ordered engrossed . . . . .		872

## No. 30. Introduced by SENATOR CAMPBELL, January 8, 1897—

"A bill for an act to amend an act concerning the organization and perpetuity of voluntary associations, and declaring an emergency."		
Read first time and referred to the Committee on Corporations. . . . .		61
Indefinitely postponed . . . . .		1284

## No. 31. Introduced by SENATOR HOGATE, January 8, 1897—

"A bill for an act concerning the probaton of wills, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Judiciary . . . . .	61
Reported back favorably and adopted . . . . .	159
Read second time and ordered engrossed . . . . .	197
Read third time and passed . . . . .	202

## No. 32. Introduced by SENATOR BALL, January 8, 1897—

"A bill for an act concerning the appointment of Public Examiner."	
Read first time and referred to Committee on County and Township Business.	62
Indefinitely postponed . . . . .	177

## No. 33. Introduced by SENATOR SWEENEY, January 8, 1897—

"A bill for an act fixing the time of holding court in the Fifty-seventh Judicial Circuit, etc., and declaring an emergency."	
Read first time and constitutional rule suspended . . . . .	63
Read second time and considered engrossed . . . . .	63
Read third time and passed . . . . .	63
Returned from the House . . . . .	122
Reported by Committee on Enrolled Bills . . . . .	139
Signed by Lieutenant-Governor . . . . .	148
Signed by the Governor . . . . .	172

## No. 34. Introduced by SENATOR SHEA, January 8, 1897—

"A bill for an act fixing the time of holding courts in the Sixth Judicial Circuit."	
Read first time . . . . .	64
Constitutional rule suspended . . . . .	64
Read second time . . . . .	64
Read third time and passed . . . . .	65
Returned from the House . . . . .	119
Reported by Committee on Enrolled Bills . . . . .	133
Signed by Lieutenant-Governor . . . . .	148
Signed by the Governor . . . . .	172

## No. 35. Introduced by SENATOR BOBILYA, January 12, 1897—

"A bill for an act making it unlawful to dock and clip horses, providing penalties for violation thereof."	
Read first time and referred to Committee on Agriculture . . . . .	90
Reported back favorably and report adopted . . . . .	140
Read second time . . . . .	196
Motion to strike out enacting clause . . . . .	196
Motion lost . . . . .	196
Rereferred to Committee on Agriculture with amendment . . . . .	197
Indefinitely postponed. . . . .	276

## No. 36. Introduced by SENATOR BOBILYA, January 12, 1897—

"A bill for an act to prevent the destruction of quail, ruffed grouse, and grouse."	
Read first time and referred to Committee on Agriculture . . . . .	90
Committee reported substitute and report adopted . . . . .	140
Substitute read second time and ordered engrossed . . . . .	196
Read third time and passed . . . . .	201
Moved to reconsider . . . . .	201
Motion failed. . . . .	201



## No. 37. Introduced by SENATOR BOZEMAN, January 12, 1897—

"A bill for an act to prevent the spread of disease among swine, and declaring an emergency."	Page.
Read first time and referred to Committee on Agriculture. . . . .	91
Reported back, with amendments, and report adopted. . . . .	211
Read second time and ordered engrossed. . . . .	290
Title amended . . . . .	351
Read third time and passed. . . . .	347
Returned by the House amended. . . . .	1111
Amendments concurred in. . . . .	1114
Reported by Committee on Enrolled Bills. . . . .	1178
Signed by the Speaker. . . . .	1189
Signed by the Governor. . . . .	1208

## No. 38. Introduced by SENATOR COLLETT (by request), January 12, 1897—

"A bill for an act to prohibit the destruction of certain wild game."	
Read first time and referred to Committee on Judiciary. . . . .	91
Reported back amended. . . . .	161
Report adopted. . . . .	161

## No. 39. Introduced by SENATOR EARLY, January 12, 1897—

"A bill for an act providing for the maintenance of levees and flood-gates."	
Read first time and referred to Committee on Swamp Lands and Drains. . . . .	91
Reported back favorably. . . . .	306
Read second time and constitutional rule suspended. . . . .	410
Read third time and passed. . . . .	410
Returned from the House, amended. . . . .	1199
Amendments concurred in. . . . .	1201
Reported by Committee on Enrolled Bills. . . . .	1221
Signed by the Speaker. . . . .	1240
Signed by the Governor. . . . .	1285

## No. 40. Introduced by SENATOR ELLISON, January 12, 1897—

"A bill for an act to amend sections 117, 119, 121, 123, 123, 124, 126, 127, 129, 130, 131 and 132 of an act concerning the government of cities having more than 35,000 and less than 49,000."	
Read first time and referred to Committee on Education. . . . .	91
Reported back and recommitted to Committee on Cities and Towns. . . . .	236
Reported back favorably and report adopted. . . . .	395
Read second time and ordered engrossed. . . . .	518
Read third time and recommitted to author for amendment. . . . .	548
Report of author adopted. . . . .	548
Bill passed. . . . .	548
Returned from House. . . . .	1176
Reported by Committee on Enrolled Bills. . . . .	1248
Signed by the Speaker. . . . .	1254

## No. 41. Introduced by SENATOR GILBERT, January 12, 1897—

"A bill for an act compelling the attendance at school of children of certain ages, prohibiting their employment under certain conditions."	
Read first time and referred to Committee on Education. . . . .	92
Indefinitely postponed. . . . .	420

## No. 42. Introduced by SENATOR GILBERT, January 12, 1897—

"A bill for an act prohibiting the formation of trusts."	
Read first time and referred to Committee on Corporations. . . . .	92
Reported back and re-committed to Committee on Judiciary. . . . .	458, 459
Reported back favoring majority report and adopted. . . . .	627, 628
Read second time and ordered engrossed. . . . .	696
Read third time and passed. . . . .	755, 756

## No. 43. Introduced by SENATOR GOSTLIN, January 12, 1897—

	Page.
"A bill for an act to legalize the incorporation of the town of Lowell."	
Read first time and referred to Committee on Cities and Towns . . . . .	92
Favorable report adopted . . . . .	135
Constitutional rule suspended . . . . .	135
Read second time . . . . .	136
Read third time and passed . . . . .	136
Returned from House . . . . .	184, 202
Reported by Committee on Enrolled Bills . . . . .	199
Signed by the Governor . . . . .	205

## No. 44. Introduced by SENATOR GOSTLIN, January 12, 1897—

"A bill for an act legalizing the incorporation of the town of Whiting."	
Read first time and referred to Committee on Cities and Towns . . . . .	92
Favorable report adopted . . . . .	135
Constitutional rule suspended . . . . .	136
Read second time and considered engrossed . . . . .	136
Read third time and passed . . . . .	137
Returned from House . . . . .	224
Reported by Committee on Enrolled Bills . . . . .	206
Signed by the Governor . . . . .	266

## No. 45. Introduced by SENATOR HAWKINS, January 12, 1897—

"A bill for an act to amend section 122 of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, fixing fees, etc., and declaring an emergency."	
Read first time and referred to Committee on Fees and Salaries . . . . .	93
Indefinitely postponed . . . . .	358

## No. 46. Introduced by SENATOR HOGATE, January 12, 1897—

"A bill for an act providing for a Legislative apportionment."	
Read first time and referred to Committee on Legislative Apportionment . .	93
Indefinitely postponed . . . . .	509

## No. 47. Introduced by SENATOR HOGATE, January 12, 1897—

"A bill for an act providing for taxation."	
Read first time and referred to Committee on Finance . . . . .	93
Reported back recommending amendment to title; adopted . . . . .	108
Read second time and ordered engrossed . . . . .	169
Read third time and recommitted for amendments . . . . .	320, 321
Reported back . . . . .	331
Failed to pass . . . . .	457

## No. 48. Introduced by SENATOR HOLLER, January 12, 1897—

"A bill for an act defining the Thirty-second Judicial Circuit and defining the Fifty-eighth Judicial Circuit, etc., and repealing all laws in conflict therewith."	
Read first time and referred to Committee on Organization of Courts . . . .	94
Reported back favorable and adopted . . . . .	163
Read second time and recommitted to author for amendment . . . . .	190
Made special order for January 18 . . . . .	191
Read second time and ordered engrossed . . . . .	198
Constitutional rule suspended . . . . .	198
Read third time and passed . . . . .	198
Returned from House . . . . .	325
Reported by Committee on Enrolled Bills . . . . .	351
Signed by the Speaker . . . . .	363
Signed by the Governor . . . . .	400

## No. 49. Introduced by SENATOR HOLLER (by request), January 12, 1897—

"A bill for an act providing for filling a vacancy in a judgeship, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Judiciary . . . . .	94
Reported back unfavorably . . . . .	340

## No. 50. Introduced by SENATOR HORNER, January 12, 1897—

"A bill for an act requiring County Commissioners to employ the County Surveyor in all cases, etc., and declaring an emergency."	
Read first time and referred to Committee on County and Township Business . . . . .	94
Reported back favoring indefinite postponement; adopted . . . . .	164

## No. 51. Introduced by SENATOR HOUGHTON, January 12, 1897—

"A bill for an act providing for the issuance of teachers' certificates."	
Read first time and referred to Committee on Education . . . . .	94
Reported back favorably and adopted . . . . .	236
Read second time, amended and ordered engrossed . . . . .	294
Read third time and tabled . . . . .	442, 444

## No. 52. Introduced by SENATOR HUBBELL, January 12, 1897—

"A bill for an act fixing the compensation and duties of certain State and county officers."	
Read first time and referred to Committee on Fees and Salaries . . . . .	95
Reported back favorably and report adopted . . . . .	139
Read second time and ordered engrossed . . . . .	169
Failed to pass . . . . .	234

## No. 53. Introduced by SENATOR HUGG, January 12, 1897—

"A bill for an act providing for the creation of Superintendent of Public Buildings and abolishing the offices of Custodian and Engineer of the State House, and declaring an emergency."	
Read first time and referred to Committee on Public Buildings . . . . .	95
Reported back, substitute adopted . . . . .	496, 497, 498
Read second time and ordered engrossed . . . . .	698

## No. 54. Introduced by SENATOR HUGG, January 12, 1897—

"A bill for an act providing for the manner of proceedings in civil cases, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	95
Reported back recommending indefinite postponement, report adopted . . . . .	217

## No. 55. Introduced by SENATOR JOHNSON, January 12, 1897—

"A bill for an act to establish a Superior Court for Grant County of Indiana, and declaring an emergency."	
Read first time and referred to Committee on Organization of Courts . . . . .	97
Reported back amended . . . . .	210
Read second time and ordered engrossed . . . . .	254
House Bill No. 22 substituted . . . . .	352
Constitutional rule suspended, read third time, House Bill No. 22 passed . . . . .	352

## No. 56. Introduced by SENATOR JOHNSON, January 12, 1897—

"A bill for an act to regulate barber work on Sunday, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	97
Reported back unfavorably and report adopted . . . . .	141
Indefinitely postponed . . . . .	141

## No. 57. Introduced by SENATOR JOHNSTON of Dearborn, January 12, 1897—

"A bill for an act allowing Justice of Peace to issue summons on Sunday."	Page.
Read first time and referred to Committee on Judiciary . . . . .	97
Reported back substitute, and adopted . . . . .	785
Read second time and ordered engrossed . . . . .	1060

## No. 58. Introduced by SENATOR JOHNSTON of Dearborn, January 12, 1897—

"A bill for an act giving power to civil courts to transact business on Sunday, etc."	
Read first time and referred to Committee on Judiciary . . . . .	97
Reported back, indefinitely postponed . . . . .	781

## No. 59. Introduced by SENATOR LAFOLLETTE, January 12, 1897—

"A bill for an act concerning the common schools of this State and repealing certain sections of the present existing school laws."	
Read first time and referred to Committee on Education . . . . .	98
Reported back favoring amendments . . . . .	207
Made special order. . . . .	390
Recommitted. . . . .	489
Reported back recommending amendments . . . . .	786, 788

## No. 60. Introduced by SENATOR McCORD, January 12, 1897—

"A bill for an act concerning the establishment of a library system in connection with public schools, etc., and declaring an emergency."	
Read first time and referred to Committee on Education . . . . .	98
Recommitted to Committee on State Library. . . . .	165
Reported back recommending that bill be printed . . . . .	369
Read second time and ordered engrossed . . . . .	521
Passed to second reading . . . . .	715
Bill amended and ordered engrossed . . . . .	876, 877
Read third time and failed to pass . . . . .	895, 896

## No. 61. Introduced by SENATOR NEW, January 12, 1897.

"A bill for an act amending section 12 of an act for the incorporation of street railroad companies."	
Read first time and referred to Committee on Affairs of Indianapolis. . . . .	98
Reported back substitute, majority and minority reports . . . . .	405, 408
Minority report given further time . . . . .	408
Reports ordered printed . . . . .	408
Majority report favoring substitute adopted . . . . .	502, 506
Read second time and amended. . . . .	704, 705
Called up and amendment lost . . . . .	708
Amendment adopted and ordered engrossed . . . . .	710
Made special order. . . . .	755
Motion to reconsider. . . . .	757
Made special order for February 18. . . . .	760
Motion to refer back to author for amendment. . . . .	768-774
Passed . . . . .	775
Returned from House . . . . .	1124
Reported by Committee on Enrolled bills. . . . .	1178
Signed by the Speaker. . . . .	1189
Signed by the Governor . . . . .	1208

## No. 62. Introduced by SENATOR NEWBY, January 12, 1897.

"A bill for an act establishing an Appellate Court, defining its jurisdiction, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Organization of Courts. . . . .	98
Moved to suspend constitutional rule, lost . . . . .	98, 99
Reported back . . . . .	113
Read second time and amended . . . . .	167
Made special order for January 19. . . . .	167
Read third time and passed . . . . .	220
Returned from House . . . . .	323
Reported by Committee on Enrolled Bills . . . . .	333
Signed by the Speaker. . . . .	353
Signed by the Governor . . . . .	361

## No. 63. Introduced by SENATOR NEWBY (by request), January 12, 1897—

"A bill for an act providing for the compensation for constables."	
Read first time and referred to Committee on Fees and Salaries . . . . .	99
Reported back favorably . . . . .	609
Read second time and ordered engrossed . . . . .	713
Read third time and passed . . . . .	917
Returned from House . . . . .	1226
Signed by the Governor . . . . .	1279
Reported by Committee on Enrolled Bills . . . . .	1255

## No. 64. Introduced by SENATOR NUSBAUM, January 12, 1897—

"A bill for an act providing for proof of claims for allowances by Board of County Commissioners, repealing all laws in conflict herewith and providing a penalty for the violation thereof."	
Read first time and referred to Committee on County and Township Business. . . . .	99
Reported back, indefinitely postponed . . . . .	175

## No. 65. Introduced by SENATOR NUSBAUM, January 12, 1897—

"A bill for an act regulating the duties of Board of Commissioners and Auditor, repealing all laws in conflict herewith and providing for the violation thereof."	
Read first time and referred to Committee on County and Township Business. . . . .	99
Reported back, substitute adopted . . . . .	175
Read second time and made special order for January 25 . . . . .	279, 280
Recommitted and substitute ordered reported . . . . .	292
Substitute adopted . . . . .	373, 374, 375
Consideration deferred . . . . .	412
Read second time and amended . . . . .	514, 515, 516
Read third time and referred to author for amendment . . . . .	543, 544
Called up and failed to pass; made special order . . . . .	545, 546
Called up . . . . .	570
Reconsidered . . . . .	572
Recommitted with instructions to amend . . . . .	573
Bill passed . . . . .	573, 574
Returned from House . . . . .	1165
Reported by Committee on Enrolled Bills . . . . .	1216
Signed by the Speaker . . . . .	1230
Signed by the Governor . . . . .	1277

## No. 66. Introduced by SENATOR PATTEN, January 12, 1897—

"A bill for an act making it unlawful for any one holding office under the Constitution to accept free passes over any railroad or steamboat lines."	
Read first time and referred to Committee on Judiciary . . . . .	100
Reported back . . . . .	1268

## No. 67. Introduced by SENATOR SCHNECK, January 12, 1897—

	Page.
"A bill for an act to provide for an investigation of the causes of fire, etc."	
Read first time and referred to Committee on Judiciary . . . . .	100
Substitute reported and adopted . . . . .	215
Read second time and ordered engrossed . . . . .	302
Read third time and passed . . . . .	348

## No. 68. Introduced by SENATOR SCHNECK, January 12, 1897—

"A bill for an act to protect sheep and other domestic animals against the ravages of dogs, and declaring an emergency."	
Read first time and referred to Committee on Agriculture . . . . .	100

## No. 69. Introduced by SENATOR SELF (by request), January 12, 1897—

"A bill for an act to provide for a revision of the laws of the State of Indiana in relation to municipal corporations, etc., and declaring an emergency."	
Read first time and referred to Committee on County and Township Business . . . . .	100
Reported back: indefinitely postponed . . . . .	177
Report reconsidered and bill recommitted . . . . .	233
Substitute reported favorably . . . . .	605

## No. 70. Introduced by SENATOR SHIVELEY, January 12, 1897—

"A bill for an act authorizing the incorporation of the boards of commissioners of foreign missions of the governing bodies and religious societies, etc., and declaring an emergency."	
Read first time and referred to Committee on Federal Relations . . . . .	101
Reported back favorably . . . . .	211
Read second time and constitutional rules suspended . . . . .	302
Read third time and passed . . . . .	303
Returned from the House . . . . .	570
Reported by Committee on Enrolled Bills . . . . .	592
Signed by the Speaker . . . . .	673
Signed by the Governor . . . . .	697

## No. 71. Introduced by SENATOR SHIVELEY, January 12, 1897—

"A bill for an act relating to the government and general supervision of the State's prisons, etc., and declaring an emergency."	
Read first time and referred to Committee on State prisons . . . . .	101
Reported back favorably and report adopted . . . . .	244
Referred back to Committee on Prisons . . . . .	290
Reported back favorably and report adopted . . . . .	447
Read second time and ordered engrossed . . . . .	517
Read third time and pending for special order February 11 . . . . .	549
Indefinitely postponed . . . . .	613

## No. 72. Introduced by SENATOR WOOD, January 12, 1897—

"A bill for an act prescribing certain duties of telegraph companies, etc., and declaring an emergency."	
Read first time and referred to Committee on Corporations . . . . .	101
Indefinitely postponed . . . . .	1263

## No. 73. Introduced by SENATOR WOOD, January 12, 1897—

"A bill for an act concerning the appointment of shorthand reporters, their duties and compensation."	
Read first time and referred to Committee on Judiciary . . . . .	101
Reported back favorably and made special order for January 25 . . . . .	200
Called up and made special order for January 26 . . . . .	307
Read second time and amended . . . . .	316, 317, 318
Recommitted . . . . .	318
Reported back . . . . .	1263

## No. 74. Introduced by SENATOR GILBERT, January 12, 1897—

"A bill for an act regulating insurance and indemnity contracts."	Page.
Read first time and referred to Committee on Insurance . . . . .	101
Indefinitely postponed . . . . .	1265

## No 75. Introduced by SENATOR GOSTLIN, January 12, 1897—

"A bill for an act to authorize any railroad company now organized to lease, sell and convey its property, etc."	
Read first time and referred to Committee on Railroads . . . . .	102
Reported back amended . . . . .	868, 869
Read second time and made special order for March 1 . . . . .	1058
Amended, ordered engrossed, and made special order for March 2. . . . .	1094
Read third time and passed . . . . .	1109

## No. 76. Introduced by SENATOR GOSTLIN, January 12, 1897—

"A bill for an act to authorize the consolidation of railroad companies."	
Read first time and referred to Committee on Corporations . . . . .	102
Reported back and referred to Committee on Railroads . . . . .	524

## No. 77. Introduced by SENATOR HAWKINS, January 12, 1897—

"A bill for an act providing for the employment of shorthand reporters in courts, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	102
Reported back, indefinitely postponed . . . . .	341

## No. 78. Introduced by SENATOR HUGG, January 12, 1897—

"A bill for an act to amend section 43 of an act entitled an act concerning public offenses, etc., and declaring an emergency."	
Read first time January 12 and referred to Committee on Judiciary . . . . .	102
Reported back favorably and report adopted . . . . .	217
Read second time and ordered engrossed . . . . .	254
Read third time and passed . . . . .	343, 344

## No. 79. Introduced by SENATOR McCORD, January 12, 1897—

"A bill for an act concerning the incorporation of stock insurance companies, etc., and declaring an emergency."	
Read first time and referred to Committee on Insurance . . . . .	102
Reported back favorably and report adopted . . . . .	164
Read second time, amended and ordered engrossed . . . . .	254
Read third time and title amended . . . . .	344, 345
Returned from the House . . . . .	977
Signed by the Governor . . . . .	1076
Reported by Committee on Enrolled Bills . . . . .	1045
Signed by the Speaker . . . . .	1075

## No. 80. Introduced by SENATOR MULL, January 12, 1897—

"A bill for an act providing for notice of the pendency and hearing of petitions, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	103
Reported back and indefinitely postponed . . . . .	218

## No. 81. Introduced by SENATOR NEW, January 12, 1897—

"A bill for an act amending insurance laws."	
Read first time and referred to Committee on Insurance . . . . .	103
Indefinitely postponed . . . . .	1265

**No. 82. Introduced by SENATOR NUSBAUM, January 12, 1897—**

<b>"A bill for an act to regulate and prescribe purity in the manufacture and sale of drugs."</b>	<b>Page.</b>
Read first time and referred to Committee on Public Health . . . . .	103
Reported back favorably . . . . .	213
Read second time and recommitted . . . . .	300
Reported back, favoring an amendment . . . . .	359
Read second time and ordered engrossed . . . . .	527
Read third time and failed to pass . . . . .	632, 633, 634

**No. 83. Introduced by SENATOR SHIVELEY, January 12, 1897—**

<b>"A bill for an act appropriating money for the current expenses of the Eastern Indiana Hospital for the Insane."</b>	
Read first time and referred to Committee on Benevolent Institutions . . . .	103
Reported back . . . . .	1262

**No. 84. Introduced by SENATOR SHIVELEY, January 12, 1897—**

<b>"A bill for an act to regulate and license the sale of cigarettes."</b>	
Read first time and referred to Committee on Judiciary . . . . .	103
Reported back favorably and report adopted . . . . .	200
Read second time, amended and ordered engrossed . . . . .	304
Read third time and passed . . . . .	361, 362, 363

**No. 85. Introduced by SENATOR WOOD, January 12, 1897—**

<b>"A bill for an act defining partition fences, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on County and Township Business . .	101
Reported back, indefinitely postponed . . . . .	242

**No. 86. Introduced by SENATOR WOOD, January 12, 1897—**

<b>"A bill for an act requiring railroad companies and corporations to provide signal lights on locomotives, etc."</b>	
Read first time and referred to Committee on Railroads . . . . .	104
Reported back from Judiciary Committee recommending reference to Railroad Committee . . . . .	141
Report concurred in . . . . .	141
Read second time and ordered engrossed . . . . .	170
Reported back from committee, majority and minority report . . . . .	545
Minority report adopted . . . . .	596

**No. 87. Introduced by SENATOR ELLISON, January 12, 1897—**

<b>"A bill for an act regulating insurance and indemnity contracts."</b>	
Read first time and referred to Committee on Judiciary . . . . .	104
Reported back . . . . .	1268

**No. 88. Introduced by SENATOR ELLISON, January 12, 1897—**

<b>"A bill for an act relating to actions for the recovery of damages on account of defective appliances, etc."</b>	
Read first time and referred to Committee on Judiciary . . . . .	104
Reported back . . . . .	1268



## No. 89. Introduced by SENATOR DUNCAN, January 12, 1897—

A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Fees and Salaries. . . . .	105
Reported back favorably and report adopted . . . . .	139
Made special order for January 18. . . . .	139
Read second time and ordered engrossed . . . . .	187
Constitutional rules suspended . . . . .	187
Read third time and passed . . . . .	188
Returned from the House . . . . .	697
Reported by the Committee on Enrolled Bills . . . . .	712
Signed by the Speaker . . . . .	738
Signed by the Governor . . . . .	770

## No. 90. Introduced by SENATOR DUNCAN, January 12, 1897—

"A bill for an act concerning the salaries of Auditor and Treasurer in certain counties, etc., and declaring an emergency."	
Read first time and referred to Committee on Fees and Salaries. . . . .	105
Reported back favorably and report adopted . . . . .	138
Made special order for January 18. . . . .	138
Read second time, constitutional rules suspended . . . . .	188
Read third time and passed . . . . .	189
Returned from the House . . . . .	894
Reported by Committee on Enrolled Bills . . . . .	956
Signed by the Speaker . . . . .	978
Vote reconsidered and recommitted. . . . .	979
Reported back and passed . . . . .	979
Signed by the Governor . . . . .	1029

## No. 91. Introduced by SENATOR GOSTLIN, January 12, 1897—

"A bill for an act giving to the Board of Trustees of incorporated towns the power to compel the erection and maintenance of gates and lights at railroad crossings."	
Read first time and referred to Committee on Cities and Towns. . . . .	106
Reported back, indefinitely postponed . . . . .	394

## No. 92. Introduced by SENATOR ALEXANDER, January 13, 1897—

"A bill for an act to amend section 1 of an act entitled an act concerning the partition of lands, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	115
Reported back favoring amendment . . . . .	161
Read second time and ordered engrossed . . . . .	254
Title amended . . . . .	285
Read third time and passed . . . . .	285
Returned from the House . . . . .	1107
Signed by the Speaker . . . . .	1176
Reported by Committee on Enrolled Bills . . . . .	1179
Signed by the Governor . . . . .	1198

## No. 93. Introduced by SENATOR DUNCAN, January 13, 1897—

"A bill for an act supplemental to an act concerning the construction of free gravel roads, stone or other macadamized roads, etc., and declaring an emergency."	
Read first time and referred to Committee on County and Township Affairs . . . . .	115
Reported back favorably . . . . .	177
Read second time and ordered engrossed . . . . .	255
Read third time and passed . . . . .	307, 308

## No. 94. Introduced by SENATOR EARLY (by request), January 13, 1897—

"A bill for an act for the better security of holders of policies of life insurance companies organized in this State, and declaring an emergency."	Page.
Read first time and referred to Committee on Insurance. . . . .	116
Reported back substitute favorably, and report adopted . . . . .	649, 650, 651
Read second time and ordered engrossed . . . . .	768
Read third time and passed . . . . .	899, 900
Motion to reconsider. . . . .	903

## No. 95. Introduced by SENATOR EARLY (by request), January 13, 1897—

"A bill for an act supplemental to an act providing for organization and regulating the business of life insurance companies, associations and societies, etc., and declaring an emergency."	
Read first time and referred to Committee on Insurance . . . . .	116
Reported back, substitute and report adopted . . . . .	655, 657
Read second time and ordered engrossed . . . . .	768
Re-referred to Committee on Insurance . . . . .	805
Substitute reported back . . . . .	805
Read third time and passed . . . . .	805

## No. 96. Introduced by SENATOR GILBERT, January 13, 1897—

"A bill for an act for the protection of fish in the waters of the State, and providing a penalty for the violation of its provisions."	
Read first time and referred to Committee on Judiciary . . . . .	116
Reported back, amended, and report adopted . . . . .	159
Read second time and ordered engrossed . . . . .	204, 197
Read third time and passed . . . . .	311
Returned from the House amended . . . . .	1052
Amendments concurred in . . . . .	1054
Reported by Committee on Enrolled Bills . . . . .	1089
Signed by the Speaker . . . . .	1106
Signed by the Governor . . . . .	1150

## No. 97. Introduced by SENATOR GILBERT, January 13, 1897—

"A bill for an act to authorize the appointment of a Commissioner of Fisheries for the State of Indiana."	
Read first time and referred to Committee on Judiciary . . . . .	116
Reported back favorably and report adopted . . . . .	215
Read second time and ordered engrossed . . . . .	254
Read third time and passed . . . . .	318, 319
Returned from the House . . . . .	1053
Reported by Committee on Enrolled Bills . . . . .	1090
Signed by the Speaker . . . . .	1106
Signed by the Governor . . . . .	1149

## No. 98. Introduced by SENATOR GOCHENOUR, January 13, 1897—

"A bill for an act to prevent the adulteration of drugs and food."	
Read first time and referred to Committee on Public Health . . . . .	117
Reported back, indefinitely postponed . . . . .	212

## No. 99. Introduced by SENATOR GOCHENOUR, January 13, 1897—

"A bill for an act to compel Justices of the Peace to procure and use a seal, and making their acknowledgment of deeds and mortgages, etc., good anywhere in the State."	
Read first time and referred to Committee on Judiciary . . . . .	117
Reported back favoring a substitute and report adopted. . . . .	160
Recommitted. . . . .	161
Read second time, amended and ordered engrossed . . . . .	204
Read third time and passed . . . . .	319, 320

## No. 100. Introduced by SENATOR HAWKINS, January 13, 1897—

"A bill for an act relative to the selling and compounding of drugs, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Public Health . . . . .	117
Reported back favorably and report adopted . . . . .	213
Read second time, amended and ordered engrossed . . . . .	293

## No. 101. Introduced by SENATOR HOGATE (by request), January 13, 1897—

"A bill for an act for the incorporation of farmers' and citizens' voluntary associations, etc., and declaring an emergency."	
Read first time and referred to Committee on Agriculture . . . . .	117
Reported back favorably and report adopted . . . . .	165
Read second time and ordered engrossed . . . . .	254, 197
Read third time, amended and passed . . . . .	321
Returned from the House . . . . .	1107
Signed by the Speaker . . . . .	1176
Reported by Committee on Enrolled Bills . . . . .	1179
Signed by the Governor . . . . .	1199

## No. 102. Introduced by SENATOR HOGATE, January 13, 1897—

"A bill for an act providing for the registration of veterans."	
Read first time and referred to Committee on Judiciary . . . . .	117
Reported back recommending that bill be printed and report adopted . . . .	368
Made special order for February 11 . . . . .	522

## No. 103. Introduced by SENATOR LEICH, January 13, 1897—

"A bill for an act to establish an additional institution for the education of the deaf and dumb, to be located in Evansville."	
Read first time and referred to Committee on Benevolent Institutions . . . .	118
Reported back and indefinitely postponed . . . . .	751

## No. 104. Introduced by SENATOR NEW (by request), January 13, 1897—

"A bill for an act concerning insurance, and declaring an emergency."	
Read first time and referred to Committee on Insurance . . . . .	118
Reported back and indefinitely postponed . . . . .	159

## No. 105. Introduced by SENATOR SHEA, January 13, 1897—

"A bill for an act providing for the erection of a monument over the grave of the pioneer heroes who were massacred at Pigeon Roost, and providing for an appropriation for the same, and declaring an emergency."	
Read first time and referred to Committee on Military Affairs . . . . .	118
Read second time and ordered engrossed . . . . .	412
Read third time and passed . . . . .	459

## No. 106. Introduced by SENATOR SHIVELEY, January 13, 1897—

"A bill for an act to amend section one (1) of an act to encourage the erection and operation of water-works in towns by incorporated associations, etc., approved March 6, 1889."	
Read first time and referred to Committee on Cities and Towns . . . . .	118
Reported back favorably and report adopted . . . . .	424
Read second time and ordered engrossed . . . . .	517
Read third time, amended and passed . . . . .	550
Returned from the House . . . . .	905
Reported by the Committee on Enrolled Bills . . . . .	949
Signed by the Speaker . . . . .	960
Signed by the Governor . . . . .	994

## No. 107. Introduced by SENATOR SHIVELY, January 13, 1897—

“A bill for an act to provide against the adulteration of food and drugs, declaring certain acts connected therewith unlawful and providing penalties thereof.”		Page.
Read first time and referred to Committee on Public Health . . . . .		118
Reported back favorably and report adopted . . . . .		212
Read second time and ordered engrossed . . . . .		411
Recensidered and made special order for February 1 . . . . .		413
Amended . . . . .	414, 415, 416	
Read third time and passed . . . . .	574, 575, 576	

## No. 108. Introduced by SENATOR WOOD, January 13, 1897—

“A bill for an act to repeal an act to amend section 389 of an act concerning proceedings in civil cases, being section 546 of R. S. 1881, and declaring an emergency.”	
Read first time and referred to Committee on Judiciary . . . . .	119
Reported back substitute . . . . .	662, 664
Substitute ordered printed . . . . .	664
Read second time and ordered engrossed . . . . .	872

## No. 109. Introduced by SENATOR WOOD (by request), January 13, 1897—

“A bill for an act to regulate and restrict the sale of intoxicating liquors and providing penalties.”	
Read first time and referred to Committee on Temperance . . . . .	119

## No. 110. Introduced by SENATOR PHARES, January 13, 1897—

“A bill for an act to repeal section 1 of an act approved March 11, 1895.”	
Read first time and referred to Committee on Judiciary . . . . .	119
Reported back unfavorably; indefinitely postponed . . . . .	662

## No. 111. Introduced by SENATOR MULL, January 13, 1897—

“A bill for an act defining the duties of Township Trustees in the sale of township property, and declaring an emergency.”	
Read first time and referred to Committee on County and Township Business . . . . .	120
Reported back favorably and report adopted . . . . .	174
Read second time and ordered engrossed . . . . .	254
Read third time and passed . . . . .	345
Returned from the House . . . . .	1241
Signed by the Governor . . . . .	1281
Reported by Committee on Enrolled Bills . . . . .	1255

## No. 112. Introduced by SENATOR MULL, January 13, 1897—

“A bill for an act to amend section 2 of an act entitled an act to enable incorporated towns to lay out, open, grade and improve streets and alleys, etc., and declaring an emergency.”	
Read first time and referred to Committee on Cities and Towns . . . . .	120
Reported back and indefinitely postponed . . . . .	653

## No. 113. Introduced by SENATOR NEW, January 13, 1897—

“A bill for an act to amend section 1 of an act entitled an act prohibiting the playing of base ball on Sunday, and declaring an emergency.”	
Read first time and referred to Committee on Judiciary . . . . .	120
Reported back, majority and minority reports . . . . .	260
Minority report favoring bill adopted . . . . .	260
Read second time . . . . .	1060
Motion to amend laid on table . . . . .	1061

## No. 114. Introduced by SENATOR SHIVELEY, January 13, 1897—

"A bill for an act appropriating money for making improvements and increasing the capacity of the Eastern Indiana Hospital for the Insane."		Page.
Read first time and referred to Committee on Benevolent Institutions . . . .		121
Reported back . . . . .		1262

## No. 115. Introduced by SENATOR WOOD, January 13, 1897—

"A bill for an act amending section 255 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881."		
Read first time and referred to Committee on Judiciary . . . . .		121
Ordered printed . . . . .		254
Reported back, majority and minority report; minority report favoring indefinite postponement adopted . . . . .	272, 273	
Made special order for January 26 . . . . .		260
Motion to reconsider minority report failed . . . . .		260
Motion to reconsider failed . . . . .		310

## No. 116. Introduced by SENATOR WOOD, January 13, 1897—

"A bill for an act providing that passengers shall not be charged excess fare by railroads on account of their not having purchased tickets."		
Read first time and referred to Committee on Railroads . . . . .		121
Reported back favorably and report adopted . . . . .		245
Read second time and ordered engrossed . . . . .		307
Read third time and passed . . . . .		363, 364

## No. 117. Introduced by SENATOR HOLLER, January 13, 1897—

"A bill for an act establishing a reformatory."		
Read first time and referred to Committee on Prisons . . . . .		132
Reported back favorably . . . . .		214
Read second time and ordered engrossed . . . . .		292
Amended . . . . .	295, 296	
Read third time and made special order . . . . .		322
Called up . . . . .		478
Consideration postponed and made special order . . . . .		488
Made special order . . . . .		526
Called up and made special order . . . . .	581, 582	
Failed to pass . . . . .		584
Reconsidered . . . . .		584
Recommitted and substitute adopted . . . . .	615, 523	
Ordered printed . . . . .		624
Read third time and recommitted to author . . . . .		736
Reported back amended . . . . .		737
Bill passed . . . . .		738
Returned from House . . . . .		747
Reported by Committee on Enrolled Bills . . . . .		773
Returned from House . . . . .		808
Resolution asking for return of bill for correction . . . . .		895
Returned from House . . . . .		902
Vote reconsidered and bill recommitted . . . . .	941, 942	
Reported back . . . . .		953
Returned from House . . . . .		993
Signed by the Governor . . . . .		1029

## No. 118. Introduced by SENATOR HOLLER, January 13, 1897—

"A bill for an act appointing probation officers, etc."		
Read first time and referred to Committee on Prisons . . . . .		133
Reported back favorably and report adopted . . . . .		244
Read second time and ordered engrossed . . . . .		388
Read third time . . . . .		635
Failed to pass . . . . .	635, 636	

Introduced by SENATOR HOLLER, Chairman, January 13, 1897—

for an act prohibiting the keeping of certain prisoners and making it unlawful to contract so to do."	Page.
Read first time and referred to Committee on Prisons . . . . .	133
Committee reported and adopted . . . . .	214
Read second time and ordered engrossed . . . . .	292
Read third time, recommitted and passed . . . . .	322, 323
Returned from the House . . . . .	1254
Reported by Committee on Enrolled Bills . . . . .	1255
Passed by the Governor . . . . .	1286

Introduced by SENATOR HOLLER, Chairman, January 13, 1897—

for an act concerning the procedure in criminal actions and requiring the State to sentence persons convicted of felonies to an indeterminate period."	
Read first time and referred to Committee on Prisons . . . . .	133
Reported back favorably and report adopted . . . . .	243
Read second time and ordered engrossed . . . . .	388
Read third time and passed . . . . .	413, 414
Motion to reconsider . . . . .	444
Motion to reconsider withdrawn . . . . .	744
House amendment concurred in . . . . .	1239
Returned from the House . . . . .	1240
Reported by Committee on Enrolled Bills . . . . .	1255
Passed by the Governor . . . . .	1285

Introduced by SENATOR ALEXANDER, January 14, 1897—

for an act to amend sections 45, 126, 129 of an act fixing the compensation and prescribing the duties of certain State and county officers, etc., and declaring an emergency."	
Read first time and referred to Committee on Fees and Salaries . . . . .	142
Reported back . . . . .	1267

Introduced by SENATOR DUNCAN, January 14, 1897—

for an act defining the Ninth and Sixteenth Judicial Circuit, and creating and defining the Fortieth Judicial Circuit, etc."	
Read first time and referred to Committee on Organization of Courts . . . . .	142
Report back majority and minority reports . . . . .	391
Order special order for February 4 . . . . .	391
Majority report concurred in . . . . .	476

Introduced by SENATOR GILBERT (by request), January 14, 1897—

for an act to amend section 3 of an act entitled an act to establish and maintain the Indiana School for Feeble-Minded Youth, and declaring an emergency."	
Read first time and referred to Committee on Benevolent Institutions . . . . .	143
Reported back unfavorably, indefinitely postponed . . . . .	427

Introduced by SENATOR GILBERT, January 14, 1897—

for an act to amend section one (1) of an act to require railroad corporations, companies or persons operating within the State of Indiana to give notice as to whether trains are on time or not."	
Read first time and referred to Committee on Railroads . . . . .	143
Reported back favorably and report adopted . . . . .	245
Read second time and ordered engrossed . . . . .	292
Read third time and passed . . . . .	418

## No. 125. Introduced by SENATOR HAWKINS, January 14, 1897—

"A bill for an act appropriating money for payment of the Warren-Scharf Asphalt Company, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Claims and Expenditures . . .	143
Reported back favorably . . . . .	243
Read second time and ordered engrossed . . . . .	292
Read third time and passed . . . . .	320
Returned from the House amended . . . . .	633
House amendments concurred in by Senate . . . . .	636
Reported by Committee on Enrolled Bills . . . . .	647
Signed by the Speaker . . . . .	706
Signed by the Governor . . . . .	711

## No. 126. Introduced by SENATOR HOGATE, January 14, 1897—

"A bill for an act fixing the order of proof in certain cases."	
Read first time and referred to Committee on Judiciary . . . . .	143
Reported back, indefinitely postponed . . . . .	434

## No. 127. Introduced by SENATOR HOGATE, January 14, 1897—

"A bill for an act concerning highways and the supervisors thereof, and declaring an emergency."	
Read first time and referred to Committee on County and Township business. . . . .	143
Reported back favorably . . . . .	1128

## No. 128. Introduced by SENATOR HOLLER, January 14, 1897—

"A bill for an act to amend section 5998 of the Revised Statutes of 1881."	
Read first time and referred to Committee on County and Township business. . . . .	144
Reported back, indefinitely postponed . . . . .	176

## No. 129. Introduced by SENATOR HOUGHTON, January 14, 1897—

"A bill for an act making it the duty of Election Commissioners to print on the official ballots the names of candidates of any political parties, etc."	
Read first time and referred to Committee on Judiciary. . . . .	144
Reported back, indefinitely postponed . . . . .	218

## No. 130. Introduced by SENATOR HUGG, January 14, 1897—

"A bill for an act for an appropriation for the manufacture of embossed printing machinery for the Indiana Institute for the Education of the Blind, and declaring an emergency."	
Read first time and referred to Committee on Benevolent Institutions . . . .	144
Reported back, indefinitely postponed . . . . .	751

## No. 131. Introduced by SENATOR HUGG, January 14, 1897—

"A bill for an act to amend section 3 of an act entitled an act to provide for the public printing, etc., and declaring an emergency."	
Read first time and referred to Committee on Fees and Salaries. . . . .	145
Reported back . . . . .	1267

## No 132. Introduced by SENATOR LEICH, January 14, 1897—

"A bill for an act amending section 126 of the fee and salary bill passed March 11, 1895."	
Read first time and referred to Committee on Fees and Salaries. . . . .	145
Reported back . . . . .	1267

1. Introduced by SENATOR LEICH, January 14, 1897—

bill for an act fixing the salaries of county officers in Vanderburgh County, and declaring an emergency."	Page.
Read first time and referred to Committee on Fees and Salaries . . . . .	146
Reported back . . . . .	1267

2. Introduced by SENATOR NEWBY, January 14, 1897—

bill for an act authorizing prosecuting attorneys to administer oath in certain cases, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	146
Reported back, indefinitely postponed . . . . .	339

3. Introduced by SENATOR NEWBY, January 14, 1897—

bill for an act regulating the practice of horse-shoeing, and declaring an emergency.	
Read first time and referred to Committee on Judiciary . . . . .	146
Reported back, majority and minority reports . . . . .	270
Minority report favoring indefinite postponement adopted . . . . .	270

4. Introduced by SENATOR NUSBAUM, January 14, 1897—

bill for an act relating to actions for the recovery of damages on account of defective appliances, tools, machinery, cars or engines, and regulating practice and procedure therein."	
Read first time and referred to Committee on Mines and Mining . . . . .	146
Reported back recommending recommitment to Judiciary . . . . .	261
Reported back . . . . .	1268

5. Introduced by SENATOR O'BRIEN (by request), January 14, 1897—

bill for an act to permit the State of Indiana to be sued for the enforcement of street assessment in certain cases, and declaring an emergency."	
Read first time and referred to Committee on Rights and Privileges . . . . .	146
Reported back favorably and report adopted . . . . .	237
Read second time, made special order for January 26 . . . . .	302
Amended and ordered engrossed. . . . .	308, 309
Read third time and failed to pass . . . . .	456

6. Introduced by SENATOR O'CONNOR, January 14, 1897—

bill for an act concerning inclosures, trespassing animals and partition fences, etc., and declaring an emergency."	
Read first time and referred to Committee on County and Township Business. . . . .	147

7. Introduced by SENATOR PHARES, January 14, 1897—

bill for an act constituting Boards of Commissioners' Boards of Turnpike Directors, etc., and declaring an emergency."	
Read first time and referred to Committee on County and Township Business. . . . .	147
Reported back favorably and report adopted . . . . .	443
Read second time and ordered engrossed . . . . .	522
Recommitted to author . . . . .	638
Reported back and failed to pass . . . . .	640, 641

8. Introduced by SENATOR PHARES, January 14, 1897—

A bill for an act regulating the practice of veterinary medicine and surgery and providing for an examining board, and declaring an emergency."	
Read first time and referred to Committee on Public Health . . . . .	147
Reported back favorably, report adopted . . . . .	212
Read second time, amended and ordered engrossed . . . . .	302
Read third time and failed to pass . . . . .	345, 346



## No. 141. Introduced by SENATOR SHIVELEY, January 14, 1897—

"A bill for an act to repeal section 14 of an act entitled an act concerning prom- isary notes, etc., approved March 11, 1861."	Page.
Read first time and referred to Committee on Judiciary . . . . .	147
Reported back, majority report favoring indefinite postponement adopted . .	342

## No. 142. Introduced by SENATOR SHIVELEY, January 14, 1897—

"A bill for an act to amend section 255 of an act entitled 'An act concerning pro- ceedings in civil cases,' approved March 7, 1861."	
Read first time and referred to Committee on Judiciary . . . . .	147
Reported back and indefinitely postponed . . . . .	259

## No. 143. Introduced by SENATOR STROUP, January 14, 1897—

"A bill for an act to amend section 1 of an act to require railroad corporations, companies or persons operating within the State of Indiana to give notice at stations whether passenger trains are on schedule time or not."	
Read first time and Referred to Committee on Railroads . . . . .	148

## No. 144. Introduced by SENATOR SWEENEY (by request), January 14, 1897—

"A bill for an act providing for the laying out and opening of streets and alleys in incorporated towns, etc., and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	148
Reported back and indefinitely postponed . . . . .	247

## No. 145. Introduced by SENATOR WOOD, January 14, 1897—

"A bill for an act to prevent the spread and growth of noxious weeds, and provid- ing penalties for the violation thereof."	
Read first time and referred to Committee on Agriculture . . . . .	148
Reported back, indefinitely postponed, report adopted . . . . .	210
Motion to reconsider carried . . . . .	218
Motion to recommit carried . . . . .	219
Reported back and indefinitely postponed . . . . .	429

## No. 146. Introduced by SENATOR COLLETT, January 15, 1897—

"A bill for an act relating to electric light works owned by incorporated cities."	
Read first time and referred to Committee on Cities and Towns . . . . .	154
Reported back, recommending an amendment, report adopted . . . . .	246
Read second time, amended, and ordered engrossed . . . . .	388
Read third time and recommitted . . . . .	413
Reported back amended . . . . .	439
Read third time and passed . . . . .	446

## No. 147. Introduced by SENATOR DUNCAN, January 15, 1897—

"A bill for an act for the discharge of prisoners from State prisons, and declaring an emergency."	
Read first time and referred to Committee on Prisons . . . . .	154
Reported back favorably . . . . .	244
Amended and made special order . . . . .	290, 291
Recommitted to Committee on Prisons . . . . .	296, 297, 298

o. 148. Introduced by SENATOR DUNCAN, January 15, 1897—

A bill for an act relating to the duties of Township Trustees, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on County and Township Business.	155
Reported back favorably . . . . .	338
Read second time and ordered engrossed . . . . .	409
Read third time and failed to pass . . . . .	447
Called up again, amended and failed to pass . . . . .	992, 993
Called up and committed to author with instructions . . . . .	1008
Author reported substitute; report adopted . . . . .	1008
Substitute read and recommitted to author for amendment . . . . .	1033
Amendment reported . . . . .	1034
Passed . . . . .	1034
Reported by Committee on Enrolled Bills . . . . .	1263
Returned from House . . . . .	1267
Signed by the Governor . . . . .	1289

o. 149. Introduced by SENATOR DUNCAN, January 15, 1897—

A bill for an act relative to County Commissioners and County Auditors."	
Read first time and referred to Committee on County and Township Business.	155
Reported back, amended and report adopted . . . . .	243
Read second time and recommitted with instructions . . . . .	291, 292
Reported back, favoring indefinite postponement, and report adopted . . . .	377

o. 150. Introduced by SENATOR GILBERT, January 15, 1897—

A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana."	
Read first time and referred to Committee on Legislative Apportionment . .	155
Reported back a substitute; report adopted . . . . .	509, 514

o. 151. Introduced by SENATOR GILBERT, January 15, 1897—

A bill for an act dividing the State of Indiana into congressional districts."	
Read first time and referred to Committee on Congressional Apportionment .	155

o. 152. Introduced by SENATOR GOCHENOUR, January 15, 1897—

A bill for an act to legalize the sale of cigarettes, and providing penalties for violation of the same."	
Read first time and referred to Committee on Public Health . . . . .	155
Reported back and indefinitely postponed . . . . .	392

o. 153. Introduced by SENATOR GOSTLIN, January 15, 1897—

A bill for an act to amend section 1 of an act for the safety and comfort of certain employes of street railroad companies."	
Read first time and referred to Committee on Judiciary . . . . .	156
Reported back and indefinitely postponed . . . . .	720

o. 154. Introduced by SENATOR HORNER, January 15, 1897—

A bill for an act to amend an act entitled an act providing the means for securing the health and safety of persons employed in coal mines, etc."	
Read first time and referred to Committee on Mines and Mining . . . . .	156
Reported back favorably; report adopted . . . . .	377, 378
Read second time and ordered engrossed . . . . .	519
Read third time and passed . . . . .	568
Returned from the House . . . . .	1240
Signed by the Governor . . . . .	1279
Reported by Committee on Enrolled Bills . . . . .	1255

## No. 155. Introduced by SENATOR HUGG, January 15, 1897—

"A bill for an act concerning action for damages on account of negligence, and declaring an emergency."		Page.
Read first time and referred to Committee on Judiciary . . . . .		156
Reported back and minority report adopted . . . . .	435, 436	
Motion to suspend the constitutional rule failed . . . . .		436
Read second time, amended and ordered engrossed . . . . .	519, 520, 521	
Read third time and passed and title amended. . . . .		569

## No. 156. Introduced by SENATOR LAFOLLETTE, January 15, 1897—

"A bill for an act concerning duties of Boards of Trustees of towns, Common Councils of Cities and Boards of Commissioners."		
Read first time and referred to Committee on Cities and Towns. . . . .		156
Reported back and indefinitely postponed . . . . .		1071

## No. 157. Introduced by SENATOR LEICH, January 15, 1897—

"A bill for an act to provide for the building of flood-gates in ditches having an outlet in water courses and which drain our flooded lands."		
Read first time and referred to Committee on Swamp Lands and Drains . .		157
Reported back favorably and report adopted. . . . .		247
Read second time and ordered engrossed . . . . .		300

## No. 158. Introduced by SENATOR SELF, January 15, 1897—

"A bill for an act to amend the first, second and third sections of an act entitled 'An act to amend the first, second and third sections of an act entitled an act regulating the sale of county property and the letting of building bridges, fences, etc.,' and declaring an emergency."		
Read first time and referred to Committee on County and Township Business		157
Reported back and indefinitely postponed . . . . .		376

## No. 159. Introduced by SENATOR SELF, January 15, 1897—

"A bill for an act to amend section 31 of an act entitled an act for the relief of the poor, approved June 9, 1852, being section 6095 of the Revised Statutes of 1881."		
Read first time and referred to Committee on County and Township Business		157
Reported back favorably, report adopted . . . . .		242
Read second time and ordered engrossed . . . . .		302
Read third time and passed . . . . .		349

## No. 160. Introduced by SENATOR SHIVELEY, January 15, 1897—

"A bill for an act for the incorporation of associations, etc., to hold and convey real estate."		
Read first time and referred to Committee on Corporations . . . . .		157
Reported back favorably, and report adopted . . . . .	353, 354	
Read second time and ordered engrossed . . . . .		413
Read third time and passed . . . . .		460
House returned bill amended . . . . .		1163
Amendments concurred in by Senate . . . . .		1164
Signed by the Speaker . . . . .		1210
Reported by Committee on Enrolled Bills . . . . .		1205
Signed by the Governor . . . . .		1223

## No. 161. Introduced by SENATOR WATSON, January 15, 1897—

"A bill for an act concerning night ferries."		
Read first time and referred to Committee on Judiciary . . . . .		158
Reported back favorably . . . . .		340

## . 162. Introduced by SENATOR WATSON, January 15, 1897—

A bill for an act to amend section 169 of an act entitled an act concerning taxation."		Page.
Read first time and referred to Committee on Judiciary . . . . .		158
Reported back favorably and report adopted . . . . .		215
Read second time and ordered engrossed . . . . .		255
Read third time and passed, title amended . . . . .		463
Signed by the Speaker . . . . .		1230
Reported by Committee on Enrolled Bills . . . . .		1216
Signed by the Governor . . . . .		1280

## . 163. Introduced by SENATOR HUBBELL (by request), January 16, 1897—

"A bill for an act to require all railroad companies to keep watchmen at all grade crossings where railroads cross each other in this State, except where interlocking switches are used, etc., and declaring an emergency."		
Read first time and referred to Committee on Railroads . . . . .		170
Reported back and indefinitely postponed . . . . .	594, 595	
Moved to reconsider . . . . .		612

## o. 164. Introduced by SENATOR HUBBELL (by request), January 16, 1897—

"A bill for an act to regulate the rental allowed for the use of telephones, and fixing a penalty for its violation."		
Read first time and referred to Committee on Corporations . . . . .		170
Reported back indefinitely postponed . . . . .		1262

## [o. 165. Introduced by SENATOR HUBBELL (by request), January 16, 1897—

"A bill for an act to regulate the number of brakemen to be employed by railroad companies upon freight trains operated upon railroads in the State of Indiana."		
Read first time and referred to Committee on Railroads . . . . .		170
Reported back favorably, report adopted . . . . .		305
Read second time and ordered engrossed . . . . .		388
Recommitted for amendment . . . . .		495
Reported back . . . . .		495
Read third time and passed . . . . .		499

## No. 166. Introduced by SENATOR GOCHENOUR, January 16, 1897—

"A bill for an act authorizing the Board of County Commissioners to appoint a County Superintendent, etc., and declaring an emergency."		
Read first time and referred to Committee on County and Township Business		171
Reported back amended . . . . .		564
Read second time . . . . .		874
Amendments adopted and ordered engrossed . . . . .		874

## No. 167. Introduced by SENATOR GOCHENOUR, January 16, 1897—

"A bill for an act to amend section one (1) of an act fixing the compensation and prescribing the duties of certain State and county officers, and declaring an emergency."		
Read first time and referred to Committee on Fees and Salaries . . . . .		171
Reported back with amendments and report adopted . . . . .		489
Read second time and made special order for February 16 . . . . .		696
Indefinitely postponed . . . . .		731

## No. 168. Introduced by SENATOR PHARES, January 16, 1897—

"A bill for an act to amend sections 18, 26 and 45 of the election laws."		
Read first time and referred to Committee on Judiciary . . . . .		171
Reported back . . . . .		1268

## No. 169. Introduced by SENATOR GILBERT, January 16, 1897—

“A bill for an act to authorize school cities and school towns to negotiate and sell bonds to procure means with which to erect and complete unfinished school buildings, etc.”		Page.
Read first time and referred to Committee on Cities and towns. . . . .		172
Reported back, majority and minority; held pending the printing of substitute . . . . .	484, 485, 486	
Substitute adopted for original . . . . .		791

## No. 170. Introduced by SENATOR GILBERT, January 16, 1897—

“A bill for an act to amend sections 43 and 255 of an act concerning taxation, etc., and declaring an emergency.”	
Read first time and referred to Committee on County and Township Business. . . . .	172
Reported back favorably and report adopted . . . . .	337
Read second time and ordered engrossed . . . . .	410
Read third time and recommitted to author . . . . .	461, 462
Reported back and failed to pass . . . . .	462, 463

## No. 171. Introduced by SENATOR HAWKINS, January 16, 1897—

“A bill for an act appropriating money for the payment of claims of the Indiana Bermudez Asphalt Company.”	
Read first time and referred to Committee on Claims . . . . .	172
Reported back favorably . . . . .	372
Read second time, ordered engrossed . . . . .	411
Read third time, amended, and passed . . . . .	566

## No. 172. Introduced by SENATOR SHIVELEY, January 16, 1897—

“A bill for an act regulating descents and the apportionment of estates, and defining the rights of second or subsequent childless wives, etc., and declaring an emergency.”	
Read first time and referred to Committee on Judiciary . . . . .	178
Reported back . . . . .	1268

## No. 173. Introduced by SENATOR WOOD, January 18, 1897—

“A bill for an act providing that claims for material furnished and personal injuries received shall be prior liens against property of railroad companies and corporations.”	
Read first time and referred to Committee on Judiciary . . . . .	180
Reported back . . . . .	1269

## No. 174. Introduced by SENATOR COLLETT, January 18, 1897—

“A bill for an act for the improvement of the Northern Hospital for Insane.”	
Read first time and referred to Committee on Benevolent Institutions . . . .	180

## No. 175. Introduced by SENATOR COLLETT, January 18, 1897—

“A bill for an act for the maintenance of the Northern Hospital for Insane.”	
Read first time and referred to Committee on Benevolent Institutions . . . .	180

## No. 176. Introduced by SENATOR DUNCAN, January 18, 1897—

“A bill for an act authorizing counties, cities, towns and townships to make donations to educational institutions, providing the means for raising the money thereof, and declaring an emergency.”	
Read first time and referred to Committee on Education . . . . .	181
Reported back favorably and report adopted . . . . .	236
Read second time and amended . . . . .	299
Recommitted. . . . .	299
Substitute adopted for original . . . . .	421
Read second time and ordered engrossed . . . . .	518
Read third time and passed . . . . .	550, 551
Returned from House . . . . .	808
Reported by Committee on Enrolled Bills . . . . .	817
Signed by the President of the Senate. . . . .	823
Signed by the Speaker of the House. . . . .	896
Signed by the Governor . . . . .	928

## 177. Introduced by SENATOR DUNCAN, January 18, 1897—

A bill for an act for the protection of public highways and free gravel, stone and macadamized roads; of public highways and free turnpikes and gravel roads."	
Read first time and referred to Committee on County and Township Business . . . . .	Page. 181
Reported back favorably, report adopted . . . . .	337
Read second time, ordered engrossed . . . . .	418
Recommitted. . . . .	457
Reported back substitute . . . . .	577, 578

## . 178. Introduced by SENATOR ELLISON, January 18, 1897—

A bill for an act concerning the care and control of orphan and dependent children, etc., and declaring an emergency."	
Read first time and referred to Committee on Benevolent Institutions . . . .	181
Reported back favorably and report adopted. . . . .	207
Read second time and ordered engrossed . . . . .	388
Read third time and passed . . . . .	417
Returned from the House amended . . . . .	747
Amendment concurred in . . . . .	749
Reported by Committee on Enrolled Bills . . . . .	817
Signed by the President of the Senate. . . . .	823
Signed by the Speaker of the House. . . . .	898
Signed by the Governor . . . . .	928

## o. 179. Introduced by SENATOR GILBERT, January 18, 1897—

'A bill for an act making it unlawful for any officer of the State of Indiana, or any member of the General Assembly of the State of Indiana, to accept or use any railroad pass or other free conveyance on any railroad, and providing penalties thereof."	
Read first time and referred to Committee on Railroads . . . . .	181
Motion to require committee to report withdrawn . . . . .	818
Indefinitely postponed . . . . .	1262

## o. 180. Introduced by SENATOR GILBERT, January 18, 1897—

"A bill for an act concerning the acceptance of railroad passes or free conveyance on railroads by judges, and providing penalties thereof."	
Read first time and referred to Committee on Railroads . . . . .	181
Motion to require committee to report withdrawn . . . . .	818
Indefinitely postponed. . . . .	1262

## [o. 181. Introduced by SENATOR HUGG, January 18, 1897—

"A bill for an act for the appointment of special Justices of the Peace, prescribing the duties and compensations of such special Justices of the Peace, fixing the responsibility of their acts, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	182
Reported back and indefinitely postponed . . . . .	259

## No. 182. Introduced by SENATOR LAFOLLETTE, January 18, 1897—

"A bill for an act to amend section 14 of an act concerning liens of mechanics, laborers and material men, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	182
Reported back favorably and report adopted. . . . .	434
Read second time and ordered engrossed . . . . .	521

## No. 183. Introduced by SENATOR LEICH (by request), January 18, 1897—

"A bill for an act relating to the organizing and regulating the business of life insurance corporations, and defining the meaning of the words assessment plan, and declaring an emergency."	
Read first time and referred to Committee on Insurance . . . . .	182
Reported back unfavorably and indefinitely postponed . . . . .	649

## No. 184. Introduced by SENATOR LEICH (by request), January 18, 1897—

"A bill for an act to provide for the better security of the holders of policies of life insurance issued by life insurance companies organized in this State."		Page.
Read first time and referred to Committee on Insurance . . . . .		182
Indefinitely postponed . . . . .		1265

## No. 185. Introduced by SENATOR NEWBY, January 18, 1897—

"A bill for an act to amend sections 3 and 5 of an act approved March 6, 1891, entitled an act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith, approved March 6, 1889."		
Read first time and referred to Committee on Judiciary . . . . .		183
Reported back favorably, adopted . . . . .		341
Substitute offered and made special order for February 5.		
	464, 465, 466, 467, 468, 469, 470, 471, 472	
Read second time and ordered engrossed . . . . .		517
Read third time and recommitted for amendment . . . . .		589
Passed . . . . .		592
Returned from House . . . . .		778
Reported by Committee on Enrolled Bills . . . . .		896
Signed by the Speaker . . . . .		903
Signed by the Governor . . . . .		928

## No. 186. Introduced by SENATOR SELF (by request), January 18, 1897—

"A bill for an act authorizing cities which have heretofore passed ordinances granting to water-works companies certain rights to provide a sinking fund for the purchase of said franchise, plants, etc., and declaring an emergency."		
Read first time and referred to Committee on Cities and Towns . . . . .		183
Reported back favorably and report adopted . . . . .		424
Read second time and ordered engrossed . . . . .		1060

## No. 187. Introduced by SENATOR SHIVELEY, January 18, 1897—

"A bill for an act to amend section 117 of an act entitled an act fixing the compensation, and prescribing the duties of certain State and county officers, etc., approved March 11, 1895, and declaring an emergency."		
Read first time and referred to Committee on Fees and salaries . . . . .		184
Reported back . . . . .		1267

## No. 188. Introduced by SENATOR STROUP, January 18, 1897—

"A bill for an act to encourage agriculture and horticulture, and agricultural and horticultural fairs, by the purchase of real estate for such purpose."		
Read first time and referred to Committee on Agriculture . . . . .		184
Reported back recommending indefinite postponement; report concurred in		275

## No. 189. Introduced by SENATOR WATSON, January 19, 1897—

"A bill for an act to amend section 310 of an act entitled an act concerning proceedings in criminal cases, approved April 19, 1881, being section 1888 of the Revised Statutes of 1881, and section 1961 of Burns' Revision of 1894."		
Read first time and referred to Committee on Judiciary . . . . .		184
Reported back favorably . . . . .		782
Read second time and ordered engrossed . . . . .		872

## No. 190. Introduced by SENATOR WOOD, January 18, 1897—

"A bill for an act providing for the survival of claims for personal injuries when appeal is taken from judgment of trial court thereon, and when reversal of same is had and when person obtaining such judgment dies pending appeal, or before new trial thereof."		
Read first time and referred to Committee on Judiciary . . . . .		184
Reported back favorably, report adopted . . . . .		433
Read second time and ordered engrossed . . . . .		715
Read third time and passed . . . . .		896
Returned from House . . . . .		1254
Reported by Committee on Enrolled Bills . . . . .		1255

## 91. Introduced by SENATOR COLLETT, January 18, 1897—

bill for an act providing for the readjustment of school districts and the location and removal of school houses, and declaring an emergency."	Page.
Read first time and referred to Committee on Education . . . . .	193
Reported back favorably and report adopted . . . . .	331
Read second time and ordered engrossed . . . . .	409
Read third time and failed to pass for want of constitutional majority . . . .	549
Bill called up again and failed to pass for want of constitutional majority . .	897, 898

## 192. Introduced by SENATOR GILBERT, January 18, 1897—

A bill for an act concerning drainage, the repairs of ditches and drains, and repealing all laws in conflict therewith, and declaring an emergency."	
Read first time and referred to Committee on Swamps and Drains . . . . .	193
Reported back recommending that bill be printed; report adopted . . . . .	276
Committee reported back favorably; report held as a special order for February 3 . . . . .	371
Committee report adopted . . . . .	455, 456

## 193. Introduced by SENATOR GOAR (by request), January 18, 1897—

'A bill for an act for the relief of Thomas Levi, of Hamilton County, Ind., concerning a claim against the State for two horses taken from his pasture by State troops, near the town of Osgood, Ripley County, Ind., 1863, and providing for the payment of \$300 and interest of said horses."	
Read first time and referred to Committee on Claims and Expenditures . . .	193
Reported back unfavorably and report adopted . . . . .	490

## 194. Introduced by SENATOR HAWKINS, January 18, 1897—

"A bill for an act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of a license to practice, etc., and repealing all laws in conflict therewith, and certain acts therein specified."	
Read first time and referred to Committee on Public Health . . . . .	194
Reported back favorably . . . . .	276
Read second time and ordered engrossed . . . . .	388
Recommitted to Committee on Public Health . . . . .	976
Reported back favoring substitute and report adopted . . . . .	1032, 1043

## No. 195. Introduced by SENATOR HORNER, January 18, 1897—

"A bill for an act to amend section 17 regulating the weighing of coal, providing for the safety of employes, prohibiting boys and females from working in mines, etc., all conflicting acts repealed, and declaring an emergency."	
Read first time and referred to Committee on Mines and Mining . . . . .	194
Reported back and substitute adopted . . . . .	392, 398
Read second time, amended and ordered engrossed . . . . .	698, 699
Read third time, title amended and passed . . . . .	893, 894
Title amended . . . . .	904
Returned from House . . . . .	1141
Reported by Committee on Enrolled Bills . . . . .	1204
Signed by the Speaker . . . . .	1210
Signed by the Governor . . . . .	1223

## No. 196. Introduced by SENATOR HUGG (by request), January 18, 1897—

"A bill for an act to establish a State Board of Embalmers, to provide a system of registration, examination and licensing of embalmers, etc., and declaring an emergency."	
Read first time and referred to Committee on Public Health . . . . .	194



## No. 197. Introduced by SENATOR HUGG, January 18, 1897—

“A bill for an act to repeal an act entitled an act to amend section 389 of the act concerning proceedings in civil cases, etc., and declaring an emergency.”		Page.
Read first time and referred to Committee on Judiciary . . . . .		191
Reported back and indefinitely postponed . . . . .		660

## No. 198. Introduced by SENATOR McCORD, January 18, 1897—

“A bill for an act to regulate the employment of women and children in manufacturing establishments, and to appoint factory inspectors.”		
Read first time and referred to Committee on Labor and Labor Statistics . .		195
Reported back substitute . . . . .	723,	731
Read second time and ordered engrossed . . . . .		873
House Bill No. 206 substituted . . . . .		900
House Bill No. 206 passed . . . . .		900

## No. 199. Introduced by SENATOR NEW, January 18, 1897—

“A bill for an act concerning warehouse receipts, and the issuing, sale and transfer thereof, and the sale of goods, wares and merchandise stored in public or private warehouses in other States.”		
Read first time and referred to Committee on Judiciary . . . . .		195
Reported back favorably and report adopted . . . . .		369
Read second time and ordered engrossed . . . . .		522
Returned from House amended . . . . .		1199
Amendments concurred in by Senate . . . . .		1204
Reported by Committee on Enrolled Bills . . . . .		1221
Signed by the Speaker . . . . .		1240
Signed by the Governor . . . . .		1277

## No. 200. Introduced by SENATOR NEWBY (by request), January 18, 1897—

“A bill for an act to amend section one of an act to establish public libraries, approved February 16, 1852, defining the powers and duties of Township Trustees in relation thereto, and declaring an emergency.”		
Read first time and referred to Committee on Public Library . . . . .		195

## No. 201. Introduced by SENATOR SHIVELEY, January 18, 1897—

“A bill for an act regulating compensation and payment of expenses of the several Boards of Control and Boards of Trustees of various benevolent institutions of the State and repealing all laws in conflict herewith, and declaring an emergency.”		
Read first time and referred to Committee on Benevolent Institutions . . . .		195
Reported back favorably, report adopted . . . . .		206
Read second time, amended and ordered engrossed . . . . .		389
Read third time and passed . . . . .		460
Title amended . . . . .		460

## No. 202. Introduced by SENATOR McCORD, January 18, 1897—

“A bill for an act to amend section 2018 of the Revised Statutes of 1881, making it a misdemeanor for any officer under the constitution of the laws of this State to receive any fee or reward other than that allowed by law, etc.”		
Read first time and referred to Committee on Judiciary . . . . .		195
Reported back substitute, report adopted . . . . .		478
Read second time and ordered engrossed . . . . .		698

## No. 203. Introduced by SENATOR CAMPBELL (by request), January 19, 1897—

“A bill for an act to authorize county officers to execute papers to procure pensions, bounties, back pay and prize money for soldiers and seaman, their widows and orphans, free of charge, repealing all conflicting laws, and providing for and declaring an emergency to exist.”		
Read first time and referred to the Committee on Fees and Salaries . . . . .		224
Reported back and indefinitely postponed . . . . .		398

## No. 204. Introduced by SENATOR EARLY, January 19, 1897—

<b>"A bill for an act providing for changing the time of electing certain township officers, fixing the time when they shall qualify and assume the duties of their respective offices, repealing all laws and parts of laws in conflict therewith."</b>	<b>Page.</b>
Read first time and referred to Committee on County and Township Business.	224
Reported back favorably, report adopted . . . . .	338
Read second time and ordered engrossed . . . . .	518
Read third time and passed . . . . .	552
Returned from House . . . . .	905
Reported by Committee on Enrolled Bills . . . . .	949
Signed by the Governor . . . . .	994

## No. 205. Introduced by SENATOR ELLISON, January 19, 1897—

<b>"A bill for an act concerning the building and loan associations and defining the territory within which they may do business."</b>	
Read first time and referred to Committee on Building and Loan Associations	227
Reported back unfavorably . . . . .	397
Consideration postponed . . . . .	397

## No. 206. Introduced by SENATOR ELLISON, January 19, 1897—

<b>"A bill for an act to amend sections 78 and 79 of an act incorporating cities having more than 35,000 and less than 49,000 by the census of 1890."</b>	
Read first time and referred to Committee on Cities and Towns . . . . .	227
Reported back favorably . . . . .	396
Read second time and ordered engrossed . . . . .	519
Read third time and passed . . . . .	552

## No. 207. Introduced by SENATOR GOODWINE, January 19, 1897—

<b>"A bill for an act concerning deeds executed upon illegal or invalid tax sales, providing for the release thereof, and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	228
Reported back, majority report adopted . . . . .	434, 435
Read second time and ordered engrossed . . . . .	519
Read third time and passed . . . . .	565
Returned from House . . . . .	1226
Signed by the Speaker . . . . .	1254
Reported by Committee on Enrolled Bills . . . . .	1248
Signed by the Governor . . . . .	1289

## No. 208. Introduced by SENATOR HOGATE, January 19, 1897—

<b>"A bill for an act fixing the terms and times of holding court in the Nineteenth Judicial Circuit of the State of Indiana, and declaring an emergency."</b>	
Read first time and referred to the Committee on Organization of Courts . . .	228
Reported back favorably, report adopted . . . . .	277
Read second time and rules suspended . . . . .	278
Considered engrossed and read third time and passed, title amended . . . . .	279
Returned to the House . . . . .	570
Reported by Committee on Enrolled Bills . . . . .	592
Signed by the Speaker . . . . .	673
Signed by the Governor . . . . .	698

## No. 209. Introduced by SENATOR HOLLER, January 19, 1897—

<b>"A bill for an act to amend section 11 of an act fixing the compensation and prescribing the duties of certain State and county officers, repealing all conflicting laws, approved March 11, 1895, and declaring an emergency."</b>	
Read first time and referred to Committee on Fees and Salaries . . . . .	228
Reported back . . . . .	1267

## No. 210. Introduced by SENATOR HOLLER, January 19, 1897—

"A bill for an act to amend sections 5, 6, 7 and 9 of an act entitled an act to establish a female prison and reformatory institution for girls and women, to provide for the organization and government thereof, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Prisons . . . . .	228
Reported back favorably, report adopted . . . . .	522
Read second time, amended, and ordered engrossed . . . . .	874

## No. 211. Introduced by SENATOR HOLLER, January 19, 1897—

"A bill for an act to repeal section 2 of an act entitled an act concerning the election and qualification of Township Trustees, and section 1 of an act entitled an act to provide for township elections, and repealing all conflicting laws, etc."	
Read first time and referred to Committee on Judiciary . . . . .	229
Reported back, recommending recommitment to Committee on County and Township Business . . . . .	368
Reported back unfavorably, and report adopted . . . . .	431

## No. 212. Introduced by SENATOR HUBBELL, January 19, 1897—

"A bill for an act creating and defining the Thirty-third and Thirty-fourth Judicial Circuits of the State of Indiana, fixing the length of terms and times of holding court in said circuits, etc., and declaring an emergency."	
Read first time and referred to Committee on Organization of Courts . . . .	230
Reported back favorably . . . . .	212
Read second time and ordered engrossed . . . . .	411
Read third time and passed . . . . .	444

## No. 213. Introduced by SENATOR HUBBELL, January 19, 1897—

"A bill for an act for the better security of policy holders in life insurance companies, etc., and declaring an emergency."	
Read first time and referred to Committee on Insurance . . . . .	230
Reported back amended . . . . .	655
Read second time and ordered engrossed . . . . .	698
Read third time and passed . . . . .	740

## No. 214. Introduced by SENATOR HUGG, January 19, 1897—

"A bill for an act to amend sections 56, 126 and 129 of an act of the General Assembly of the State of Indiana, entitled an act concerning the incorporation and government of cities having more than 100,000 population according to the last census of the United States, and declaring an emergency."	
Read first time and referred to the Committee on the Affairs of the City of Indianapolis . . . . .	230
Reported back unfavorably, report adopted. . . . .	562

## No. 215. Introduced by SENATOR HUMPHREYS, January 19, 1897—

"A bill for an act regulating the purchase of school supplies by township trustees."	
Read first time and referred to Committee on County and Township Business	230
Reported back unfavorably and indefinitely postponed . . . . .	376

## No. 216. Introduced by SENATOR LAFOLLETTE, January 19, 1897—

"A bill for an act entitled an act to amend sections 253 and 254 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, being sections 1230 and 1231, Revised Statutes of 1881, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	231
Reported back favorably, report adopted . . . . .	339
Read second time, amended and ordered engrossed . . . . .	411, 412
Read third time and passed . . . . .	216

## No. 217. Introduced by SENATOR NEWBY (by request), January 19, 1897—

“A bill for an act to authorize County Commissioners to make an appropriation of money for the purpose of providing and to provide suitable places and buildings for the meetings, uses and maintenance of county historical societies.”		Page.
Read first time and referred to Committee on Education . . . . .		231
Reported back favoring indefinite postponement, report adopted. . . . .		332

## No. 218. Introduced by SENATOR PATTEN, January 19, 1897—

“A bill for an act to amend an act entitled an act concerning offenses and their punishment, approved April 14, 1881, being section 1941 Revised Statutes of 1881, repealing all laws and parts of laws in conflict therewith, and providing an emergency.”		
Read first time and referred to Committee on Judiciary . . . . .		231
Reported back favoring indefinite postponement, report adopted . . . . .		259

## No. 219. Introduced by SENATOR PATTEN (by request), January 19, 1897—

“A bill for an act concerning taxes as assessed for road purposes upon lands used for agricultural purposes within corporate limits of towns, repealing all laws or parts of laws in conflict therewith.”		
Read first time and referred to Committee on Cities and Towns . . . . .		231

## No. 220. Introduced by SENATOR PHARES, January 19, 1897—

“A bill for an act concerning mechanics’ liens, amending certain sections, and declaring an emergency.”		
Read first time and referred to Committee on Judiciary . . . . .		232
Reported back and indefinitely postponed . . . . .		603

## No. 221. Introduced by SENATOR SELF, January 19, 1897—

“A bill for an act fixing the times for holding court in the Third Judicial Circuit of the State of Indiana, prescribing the length of the terms thereof and repealing all laws in conflict therewith.”		
Read first time and referred to Committee on Organization of Courts . . . . .		232
Reported back favorably and report adopted . . . . .		277
Rules suspended, read second time and considered engrossed . . . . .		277
Read third time and passed . . . . .		278
Returned from House . . . . .		310
Reported by Committee on Enrolled Bills . . . . .		322
Signed by the Speaker . . . . .		343
Signed by the Governor . . . . .		361

## No. 222. Introduced by SENATOR SHIVELEY, January 19, 1897—

“A bill for an act declaring the use of ferrets for the purpose of hunting and catching rabbits unlawful and prescribing penalties therefor.”		
Read first time and referred to Committee on Agriculture . . . . .		232
Reported back and indefinitely postponed . . . . .		275

## No. 223. Introduced by SENATOR WATSON, January 19, 1897—

“A bill for an act to amend section 6 of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, etc., and declaring an emergency.”		
Read first time and referred to Committee on Fees and Salaries . . . . .		232
Reported back favorably . . . . .		609
Read second time and ordered engrossed . . . . .		714
Read third time . . . . .		1007
Recommitted to author . . . . .		1007
Reported back and failed to pass . . . . .		1008

## No. 224. Introduced by SENATOR WHITE, January 19, 1897—

"A bill for an act defining the Second and Third Judicial Circuits, and declaring an emergency."	Page.
Read first time and referred to Committee on Organization of Courts . . . . .	233
Reported back, majority and minority report . . . . .	378
Minority report adopted favoring indefinite postponement . . . . .	379

## No. 225. Introduced by SENATOR WOOD, January 19, 1897—

"A bill for an act to amend section 1 of an act entitled an act concerning the making of private connections with sewer, gas and water pipes in cities having less than 100,000 inhabitants, and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	233
Reported back amended . . . . .	396, 397
Read second time and ordered engrossed . . . . .	1055

## No. 226. Introduced by SENATOR GOSTLIN, January 21, 1897—

"A bill for an act to amend section 1 of an act providing for the general system of common schools, the officers thereof, their respective duties, etc., and declaring an emergency."	
Read first time and referred to Committee on Education . . . . .	263
Reported back and indefinitely postponed . . . . .	332

## No. 227. Introduced by SENATOR WATSON, January 21, 1897—

"A bill for an act fixing the time of holding court in the Fourth Judicial Circuit of the State of Indiana, prescribing the length of the terms thereof, and repealing all laws in conflict therewith, and declaring an emergency."	
Read first time and constitutional rule suspended . . . . .	263
Read second time and ordered engrossed . . . . .	264
Read third time and passed . . . . .	264
Returned from House . . . . .	772
Reported by Committee on Enrolled Bills . . . . .	794
Signed by the Speaker . . . . .	898
Signed by the Governor . . . . .	928

## No. 228. Introduced by SENATOR GILL, January 21, 1897—

"A bill for an act fixing the time of holding court in the Twenty-second Judicial Circuit of Indiana, repealing all laws in conflict, and declaring an emergency."	
Read first time and constitutional rule suspended . . . . .	265
Read second time and considered engrossed . . . . .	265
Read third time and passed . . . . .	265
Returned from House . . . . .	310
Reported by Committee on Enrolled Bills . . . . .	322
Signed by the Speaker . . . . .	343
Signed by the Governor . . . . .	361

## No. 229. Introduced by SENATOR ELLISON, January 21, 1897—

"A bill for an act to abolish days of grace when notes, bills, drafts, claims and accounts and other evidence of indebtedness shall become due."	
Read first time and referred to Committee on Judiciary . . . . .	256
Referred back and indefinitely postponed . . . . .	341

## No. 230. Introduced by SENATOR HAWKINS, January 21, 1897—

"A bill for an act for the appointment and retiring of trustees of funds and estates in certain cases, fixing rights, duties and jurisdiction of the same, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	256
Reported back and indefinitely postponed . . . . .	600

## No. 231. Introduced by SENATOR HAWKINS, January 21, 1897—

"A bill for an act to define and punish frauds upon hotels, boarding houses, etc., providing a penalty, and declaring an emergency."	Page.
Read first time and referred to Committee on Judiciary . . . . .	257
Reported back, recommending amendments, and report adopted . . . . .	481

## No. 232. Introduced by SENATOR HAWKINS, January 21, 1897—

"A bill for an act amending the charter of the Western Mutual Life Insurance and Trust Company."	
Read first time and referred to Committee on Judiciary . . . . .	257
Reported back, recommending amendment . . . . .	721
Read second time and ordered engrossed . . . . .	1086

## No. 233. Introduced by SENATOR HUGG, January 21, 1897—

"A bill for an act concerning powers and duties of cities and incorporated towns and their Common Councils and Board of Trustees, providing the mode and manner of making street and alley improvements, etc., and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	257
Reported back and indefinitely postponed . . . . .	605

## No. 234. Introduced by SENATOR HUGG, January 21, 1897—

"A bill for an act defining and regulating the practice of optometry, creating a Board of Examiners of Optometry, etc., and declaring an emergency."	
Read first time and referred to Committee on Public Health . . . . .	257

## No. 235. Introduced by SENATOR MULL, January 21, 1897—

"A bill for an act relating to sales of real estate by assignees and trustees under the laws of voluntary assignments, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	257
Reported back favorably . . . . .	368
Read second time, amended and ordered engrossed . . . . .	522
Read third time and passed, title amended . . . . .	642
Returned from House . . . . .	1176
Signed by the Speaker . . . . .	1210
Signed by the Governor . . . . .	1223

## No. 236. Introduced by SENATOR MULL, January 21, 1897—

"A bill for an act defining the 8th Judicial Circuit, creating the 58th Judicial Circuit, fixing time for holding courts in said circuits, and providing for the appointment of a Judge and Prosecuting Attorney, requiring the Secretary of State to transmit copies of the act, and declaring an emergency."	
Read first time and referred to Committee on Organization of Courts . . . . .	258
Reported back and indefinitely postponed . . . . .	378

## No. 237. Introduced by SENATOR MULL (by request), January 21, 1897—

"A bill for an act concerning the constructing, equipping and operating of electric light plants by the Common Councils of cities and Boards of Trustees of towns, and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	250
Reported back favorably . . . . .	1022

## No. 238. Introduced by SENATOR NEW, January 21, 1897—

"A bill for an act to repeal section 22 of an act for the incorporation of insurance companies, defining their powers and prescribing their duties, and declaring an emergency."	
Read first time and referred to Committee on Insurance . . . . .	250
Indefinitely postponed . . . . .	1265

## No. 239. Introduced by SENATOR NEW, January 21, 1897—

"A bill for an act for the incorporation of insurance companies, defining their powers and prescribing the duties of the Auditor of State, the Attorney-General and County Clerks in connection therewith, providing penalties, repealing all laws in conflict therewith, and declaring an emergency."		Page.
Read first time and referred to Committee on Insurance . . . . .		251
Indefinitely postponed . . . . .		1265

## No. 240. Introduced by SENATOR NEW, January 21, 1897—

"A bill for an act concerning a standard form of fire insurance policy, and prescribing penalties."		
Read first time and referred to Committee on Insurance . . . . .		251
Indefinitely postponed . . . . .		1265

## No. 241. Introduced by SENATOR NEW, January 21, 1897—

"A bill for an act regulating foreign insurance companies doing business in this State, repealing all laws in conflict therewith."		
Read first time and referred to Committee on Insurance . . . . .		251
Indefinitely postponed . . . . .		1265

## No. 242. Introduced by SENATOR NEW, January 21, 1897—

"A bill for an act to repeal an act entitled an act to fix the number of Senators and Representatives to the General Assembly of the State, and the apportionment of the same among the several counties of the State, repealing all laws in conflict therewith and declaring an emergency."		
Read first time and referred to Committee on Legislative Apportionment . .		251
Reported back favorably and report adopted . . . . .		338
Read second time and ordered engrossed . . . . .		389
Read third time and passed . . . . .		901

## No 243. Introduced by SENATOR NEW, January 21, 1897—

"A bill for an act to protect the owners of bottles, boxes, siphons, tins or kegs used in the sale of soda water, etc., providing penalties for violation of the same."		
Read first time and referred to Committee on Judiciary . . . . .		252
Reported back and indefinitely postponed . . . . .		780

## No. 244. Introduced by SENATOR NEWBY (by request), January 21, 1897—

"A bill for an act defining the duties of the Board of Directors of Cemetery Associations, etc., and declaring an emergency."		
Read first time and referred to Committee on Cities and Towns . . . . .		252
Reported back and indefinitely postponed . . . . .		396

## No. 245. Introduced by SENATOR PHARES, January 21, 1897—

"A bill for an act to amend section 119 of an act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, fixing fees, etc., prescribing penalties and repealing all conflicting laws."		
Read first time and referred to Committee on Judiciary . . . . .		252
Reported back majority and minority report . . . . .		483
Majority report favoring passage adopted . . . . .		483
Read second time and ordered engrossed . . . . .		713
Read third time and passed . . . . .		991
Returned from House . . . . .		1176
Reported by the Committee on Enrolled Bills . . . . .		1205
Signed by the Speaker . . . . .		1210
Signed by the Governor . . . . .		1223

## No. 246. Introduced by SENATOR SHIVELY, January 21, 1897—

"A bill for an act to amend section 113 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency."	Page.
Read first time and referred to Committee on Finance . . . . .	252
Reported back favorably . . . . .	335
Read second time and ordered engrossed . . . . .	411
Read third time and passed . . . . .	553

## No. 247. Introduced by SENATOR WHITE, January 21, 1897—

"A bill for an act to provide for the preservation of public health and other matters connected therewith."	
Read first time and referred to Committee on Public Health . . . . .	253
Reported back and indefinitely postponed . . . . .	909

## No. 248. Introduced by SENATOR BOBILYA, January 21, 1897—

"A bill for an act to amend section 133 of an act entitled an act concerning the incorporation and government of cities having more than 35,000 and less than 49,000, according to the last preceding United States census, and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	248
Reported back favorably . . . . .	1070
Read second time and ordered engrossed . . . . .	1076

## No. 249. Introduced by SENATOR McCORD (by request), January 21, 1897—

"A bill for an act prohibiting the manufacture and sale of cigarettes and cigarette wrappers, fixing penalties for the violation of same."	
Read first time and referred to Committee on Public Health . . . . .	254
Reported back favorably . . . . .	346
Read second time and ordered engrossed . . . . .	389
Read third time and passed . . . . .	418

## No. 250. Introduced by SENATOR HORNER (by request), January 22, 1897—

"A bill for an act to amend the seventy-first section of an act for the election of Justices of the Peace, their jurisdiction, powers and duties in civil cases, etc."	
Read first time and referred to Committee on Judiciary . . . . .	280
Reported back favorably . . . . .	597
Read second time and ordered engrossed . . . . .	713

## No. 251. Introduced by SENATOR LEIGH, January 22, 1897—

"A bill to appropriate money to defray the expense of the commission appointed by the Supreme Court of the United States in establishing a boundary line between the State of Indiana and the commonwealth of Kentucky, opposite Green River Island, and declaring an emergency."	
Read first time and referred to Committee on Finance. . . . .	281
Reported back amended, report adopted . . . . .	579
Read third time and passed . . . . .	1026
Returned from House . . . . .	1226
Signed by the Governor . . . . .	1278
Reported by Committee on Enrolled Bills . . . . .	1255

## No. 252. Introduced by SENATOR DUNCAN, January 22, 1897—

"A bill for an act in relation to the funds of certain educational institutes."	
Read first time and referred to Committee on Education . . . . .	282

## No. 253. Introduced by SENATOR NEW, January 22, 1897—

"A bill for an act concerning allowances for attorney fees, etc., incurred in the prosecution and defense of criminal actions."	
Read first time and referred to Committee on Judiciary . . . . .	282
Reported back favorably, report adopted . . . . .	559
Read second time and ordered engrossed . . . . .	577



## No. 254. Introduced by SENATOR O'BRIEN (by request), January 22, 1897—

"A bill for an act authorizing educational institutions incorporated under the laws of the State of Indiana to admit to membership in its board of trustees trustees elected by the alumni of such institution, and declaring an emergency."

	Page.
Read first time and referred to Committee on Education . . . . .	282
Reported back favorably, report adopted . . . . .	420
Read second time and ordered engrossed . . . . .	522
Read third time and passed . . . . .	634
Returned from the House . . . . .	1199
Signed by the Governor . . . . .	1278
Reported by Committee on Enrolled Bills . . . . .	1221
Signed by the Speaker . . . . .	1240

## No. 255. Introduced by SENATOR SELF, January 22, 1897—

"A bill for an act to amend section 96 of an act entitled an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, repealing all conflicting laws."

Read first time and referred to Committee on Judiciary . . . . .	282
Reported back favorably, report adopted . . . . .	480
Read second time and ordered engrossed . . . . .	527

## No. 256. Introduced by SENATOR SHIVELEY, January 22, 1897—

"A bill for an act to provide a statue of Oliver P. Morton for the National Statuary Hall in Capitol at Washington, D. C., appropriating money therefor, and declaring an emergency."

Read first time and referred to Committee on Federal Relations . . . . .	283
Reported back favorably . . . . .	356
Read second time and ordered engrossed . . . . .	412
Read third time and passed . . . . .	665
Returned from House . . . . .	977
Reported by the Committee on Enrolled Bills . . . . .	1045
Signed by the Speaker . . . . .	1075
Signed by the Governor . . . . .	1077

## No. 257. Introduced by SENATOR EARLY (by request), January 22, 1897—

"A bill for an act regulating the transaction of fire insurance business in the State of Indiana by corporations, agents or persons representing fire insurance companies not legally authorized to transact the business of fire insurance in said State, and prescribing punishment for the violation of this act."

Read first time and referred to Committee on Judiciary . . . . .	284
Reported back favorably. . . . .	1069
Read second time and ordered engrossed . . . . .	1082

## No. 258. Introduced by SENATOR EARLY, January 22, 1897—

"A bill for an act to legalize all actions of Notaries Public whose commissions have expired, or who at the time of transacting any notarial business has no notary public commission, or who have been ineligible to office, and declaring an emergency."

Read first time and referred to Committee on Judiciary . . . . .	284
Reported back favorably . . . . .	340
Read second time and constitutional rule suspended . . . . .	732
Read third time and passed . . . . .	732

## No. 259. Introduced by SENATOR HUBBELL (by request), January 22, 1897—

"A bill for an act for the better protection of the fish of Indiana."

Read first time and referred to Committee on Judiciary . . . . .	284
Reported back with amendments . . . . .	559
Read second time, amended and ordered engrossed . . . . .	875

## No. 260. Introduced by SENATOR GOCHENOUR, January 25, 1897—

"A bill for an act to repeal section one of an act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair, etc., and declaring an emergency."		Page.
Read first time and referred to Committee on Swamp Lands . . . . .		287
Reported back favorably . . . . .		397
Read second time and ordered engrossed . . . . .		519
Read third time and passed . . . . .		554
Returned from House . . . . .		1254
Signed by the Governor . . . . .		1285
Reported by Committee on Enrolled Bills . . . . .		1255

## No. 261. Introduced by SENATOR GOODWINE (by request), January 25, 1897—

"A bill for an act in relation to the taxation of land in towns or cities."		
Read first time and referred to Committee on Finance . . . . .		287
Reported back and indefinitely postponed . . . . .		336

## No. 262. Introduced by SENATOR HOGATE, January 25, 1897—

"A bill for an act in relation to savings banks, providing for the issuing of stock, the payment therefor, the liability of such stockholders, etc., and declaring an emergency."		
Read first time and referred to Committee on Corporations . . . . .		287
Reported back favorably; report adopted . . . . .		507
Read second time and ordered engrossed . . . . .		528
House Bill No. 429 substituted . . . . .		1148

## No. 263. Introduced by SENATOR HORNER, January 25, 1897—

"A bill for an act for the comfort of employes and passengers of street railway companies."		
Read first time and referred to Committee on Corporations . . . . .		287
Reported back and recommitted to Committee on Cities and Towns . . . . .		507
Reported back amended, report adopted . . . . .		580
Read second time and ordered engrossed . . . . .		697
Read third time, amended and passed . . . . .		824

## No. 264. Introduced by SENATOR HUGG, January 25, 1897—

"A bill for an act appropriating money for the claims of Fred. Fuehring and Wm. Fuehring for sprinkling and sweeping streets abutting on grounds belonging to the State of Indiana, etc., and declaring an emergency."		
Read first time and referred to Committee on Claims and Expenditures . . . . .		288
Reported back favorably. . . . .		371, 372
Read second time and amended and ordered engrossed . . . . .		526, 527
Read third time and passed . . . . .		674

## No. 265. Introduced by SENATOR HUMPHREYS, January 25, 1897—

"A bill for an act to regulate the appointment of bridge superintendents by boards of county commissioners, and declaring an emergency."		
Read first time and referred to Committee on County and Township Business . . . . .		288
Reported back amended, report adopted . . . . .		375
Read second time . . . . .		411
Read third time and passed . . . . .		445
Title amended . . . . .		445

**No. 266. Introduced by SENATOR NEWBY, January 25, 1897—**

"A bill for an act to amend section 35 of an act entitled an act for the relief of the poor, approved June 9, 1852."	Page.
Read first time and referred to Committee on Benevolent Institutions . . . .	288
Reported back favorably, report adopted . . . . .	426
Read second time and ordered engrossed . . . . .	521
Read third time and passed . . . . .	741
Returned from House . . . . .	1176
Signed by the Governor . . . . .	1285
Reported by Committee on Enrolled Bills . . . . .	1233

**No. 267. Introduced by SENATOR RINEAR, January 25, 1897—**

"A bill for an act to provide for the levy of taxes by the trustees of civil townships and the trustees of incorporated towns for the purpose of creating a fund out of which teachers in the public schools may be paid for janitor work done by them, and declaring an emergency."	
Read first time and referred to Committee on County and Township Business	288
Reported back and indefinitely postponed . . . . .	431

**No. 268. Introduced by SENATOR SELF, January 25, 1897—**

"A bill for an act concerning the duties of Township Trustees and matters connected therewith, and declaring an emergency."	
Read first time and referred to Committee on County and Township Business	289
Reported back, amended, report adopted . . . . .	376
Read second time and ordered engrossed . . . . .	522
Read third time and passed . . . . .	657

**No. 269. Introduced by SENATOR SHIVELEY (by request), January 25, 1897—**

"A bill for an act decreasing the number of Justices of the Peace, repealing all laws and parts of laws in conflict herewith."	
Read first time and referred to Committee on Organization of Courts . . . . .	289
Reported back favorably . . . . .	702
Read second time, amended and ordered engrossed . . . . .	876

**No. 270. Introduced by SENATOR WHITE (by request), January 25, 1897—**

"A bill for an act to abolish the State Live Stock Sanitary Commission to provide for the appointment of a veterinary surgeon by the Governor, defining his duties and compensation, and repealing all laws in conflict."	
Read first time and referred to Committee on Agriculture . . . . .	289
Reported back, amended, report adopted . . . . .	820
Read second time and ordered engrossed . . . . .	1066
Reported by Committee on Enrolled Bills . . . . .	1255

**No. 271. Introduced by SENATOR WOOD, January 25, 1897—**

"A bill for an act defining the crime of criminal trespass, providing the punishment therefor, repealing inconsistent acts, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	289
Reported back and indefinitely postponed . . . . .	339

**No. 272. Introduced by SENATOR ALEXANDER, January 25, 1897—**

"A bill for an act to legalize all actions of notaries public whose commissions have expired or who at the time of transacting any business had no notary public commission, or who having been ineligible to office, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	289
Reported back and indefinitely postponed . . . . .	629

## No. 273. Introduced by SENATOR SHIVELEY, January 26, 1897—

"A bill for an act in aid of taxation, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Judiciary . . . . .	313
Reported back . . . . .	1268

## No. 274. Introduced by SENATOR SHIVELEY (by request), January 26, 1897—

"A bill for an act concerning taxation, repealing all laws in conflict therewith and declaring an emergency."	
Read first time and referred to Committee on County and Township Business	313
Reported back and indefinitely postponed . . . . .	432

## No. 275. Introduced by SENATOR BALL, January 26, 1897—

"A bill for an act providing for reclaiming and drainage and prescribing the powers and duties of County Commissioners and other officers, etc., and declaring an emergency."	
Read first time and referred to Committee on Swamp Lands. . . . .	313
Reported back favorably . . . . .	602
Read second time and ordered engrossed. . . . .	694

## No. 276. Introduced by SENATOR DUNCAN, January 26, 1897—

"A bill for an act relating to compulsory education."	
Read first time and referred to Committee on Education . . . . .	314
Ordered printed . . . . .	631

## No. 277. Introduced by SENATOR DUNCAN, January 26, 1897—

"A bill for an act in relation to the control and government of certain penal, benevolent and reformatory institutions."	
Read first time and referred to Committee on Benevolent Institutions . . . .	314
Reported back and indefinitely postponed . . . . .	596

## No. 278. Introduced by SENATOR GILL, January 26, 1897—

"A bill for an act to define and limit the power of cities and towns over taxation of land for agricultural purposes within the corporate boundaries."	
Read first time and referred to Committee on Cities and Towns . . . . .	315
Reported back and indefinitely postponed . . . . .	395

## No. 279. Introduced by SENATOR BOZEMAN, January 26, 1897—

"A bill for an act providing for the construction and maintenance of gravel roads in the State of Indiana."	
Read first time and referred to Committee on Roads. . . . .	315
Reported back; substitute adopted . . . . .	425
Read second time and ordered engrossed . . . . .	528
Read third time and failed to pass . . . . .	643

## No. 280. Introduced by SENATOR BOZEMAN, January 26, 1897—

"A bill to legalize the incorporation of the town of Cynthiana, in Posey County, Indiana, etc., and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	315
Reported back favorably . . . . .	396
Constitutional rule suspended . . . . .	408
Read second time and considered engrossed . . . . .	408
Read third time, title amended and passed . . . . .	409
Returned from House . . . . .	1176
Reported by Committee on Enrolled Bills . . . . .	1216
Deposited with Secretary of State without Governor's signature . . . . .	1270
Signed by the Speaker . . . . .	1290

## No. 281. Introduced by SENATOR GILBERT, January 26, 1897—

"A bill for an act to construe section 25 of an act concerning drainage, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Swamps and Drains . . . . .	316
Reported back favorably and report adopted . . . . .	448
Read second time and ordered engrossed . . . . .	519
Read third time and passed . . . . .	553
Returned from House . . . . .	1240
Reported by Committee on Enrolled Bills . . . . .	1255

## No. 282. Introduced by SENATOR HUBBELL (by request), January 26, 1897—

"A bill for an act requiring all persons owning or operating dining-room, buffet, drawing-room or sleeping cars in this State to secure a license for the sale of liquors on said cars, providing penalties, etc."	
Read first time and referred to Committee on Temperance . . . . .	316
Reported back and indefinitely postponed . . . . .	618

## No. 283. Introduced by SENATOR SHIVELEY (by request), January 26, 1897—

"A bill for an act to establish a State Board of Health, defining its powers and duties, etc., and declaring an emergency."	
Read first time and referred to Committee on Public Health . . . . .	327
Reported back substitute and report adopted . . . . . 9, 10, 11, 12, 13, 14, 15, 16	
Read second time and ordered engrossed . . . . .	1058

## No. 284. Introduced by SENATOR McCORD, January 27, 1897—

"A bill for an act concerning building, loan fund and savings associations."	
Read first time and referred to Committee on Building and Loan Associations . . . . .	327
Reported back and substitute adopted . . . . .	763, 767
Read second time and made special order . . . . .	876
Amended . . . . .	920, 921, 922, 923
Amended further . . . . . 927, 929, 930, 931, 932, 933, 934, 935, 936, 937, 951, 952, 953	
Text of bill substituted for House bill . . . . .	1012
Called up and ordered engrossed . . . . .	1049
Read third time and passed . . . . .	1084, 1085

## No. 285. Introduced by SENATOR SHIVELEY (by request), January 27, 1897—

"A bill for an act to prevent the spread of contagious diseases among trees."	
Read first time and referred to Committee on Agriculture . . . . .	327
Reported back and indefinitely postponed . . . . .	429

## No. 286. Introduced by SENATOR WATSON, January 27, 1897—

"A bill for an act to provide for the better government, control, management and general supervision of the State prisons at Jeffersonville and Michigan City, and declaring an emergency."	
Read first time and referred to Committee on Prisons . . . . .	333
Committee reported favorably, and report adopted . . . . .	448

## No. 287. Introduced by SENATOR SWEENEY (by request), January 27, 1897—

"A bill for an act to amend section 10 of an act concerning ferries, and prescribing punishment for the violation of its provisions."	
Read first time and referred to Committee on Roads . . . . .	333
Reported back favorably . . . . .	598
Read second time and ordered engrossed . . . . .	714
House Bill No. 387 substituted. . . . .	1006
Read third time . . . . .	1006
House Bill No. 387 passed . . . . .	1007

## No. 288. Introduced by SENATOR SWEENEY, January 27, 1897—

"A bill for an act to legalize all actions of notaries public, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Judiciary . . . . .	333
Reported back favorably . . . . .	597

## No. 289. Introduced by SENATOR NEW, January 27, 1897—

"A bill for an act defining school districts of the first grade, and establishing the system of school government therein."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	333

## No. 290. Introduced by SENATOR HOGATE, January 27, 1897—

"A bill for an act for the propagation and protection of fish, etc., and declaring an emergency."	
Read first time and referred to Committee on County and Township Business . . . . .	334
Reported back amended . . . . .	431, 432
Read second time and amended . . . . .	527
Enacting clause stricken out . . . . .	528

## No. 291. Introduced by SENATOR HOGATE, January 27, 1897—

"A bill for an act to award a State's Life License to the graduates of schools having a course in Pedagogy, and declaring an emergency."	
Read first time and referred to Committee on Education . . . . .	334
Reported substitute . . . . .	501, 502
Read second time and ordered engrossed . . . . .	696
Read third time and amended, failed to pass . . . . .	809, 810, 811

## No. 292. Introduced by SENATOR NUSBAUM, January 27, 1897—

"A bill for an act regulating insurance and indemnity contracts, prohibiting the imposition of certain conditions, etc."	
Read first time and referred to Committee on Insurance . . . . .	334

## No. 293. Introduced by SENATOR HAWKINS, January 27, 1897—

"A bill for an act to provide for greater purity of elections and for the casting and registering of votes by means of voting machines, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	334
Reported back and indefinitely postponed . . . . .	660

## No. 294. Introduced by SENATOR HAWKINS, January 27, 1897—

"A bill for an act concerning liens of mechanics, laborers and material men, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	334
Reported back, minority and majority report . . . . .	659
Minority report favoring passage adopted . . . . .	659
Read second time and ordered engrossed . . . . .	874
Read third time and passed . . . . .	1046

## No. 295. Introduced by SENATOR MULL (by request), January 27, 1897—

"A bill for an act concerning assessments and liens upon real estate for improvements upon or in streets, sidewalks and alleys in incorporated towns and cities of less than twelve thousand inhabitants, and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	835
Reported back favorably . . . . .	604
Read second time, made special order for February 16 . . . . .	700
Amended and recommitted . . . . .	734
Reported back substitute . . . . .	1020
Read second time and ordered engrossed . . . . .	1076

**No. 296. Introduced by SENATOR HORNER, January 27, 1897—**

<b>"A bill for an act requiring notaries public and other officers to affix date of expiration of their commissions to all certificates of acknowledgments."</b>	<b>Page.</b>
Read first time and referred to Committee on Judiciary . . . . .	336
Reported back favorably. . . . .	628
Read second time and ordered engrossed . . . . .	696

**No. 297. Introduced by SENATOR SHEA, January 27, 1897—**

<b>"A bill for an act making it unlawful for persons, corporations or institutions to confer academic degrees of titles except when empowered to do so by the State Board of Education, and providing a penalty for the violation thereof."</b>	
Read first time and referred to Committee on Education. . . . .	337
Reported back and indefinitely postponed . . . . .	751

**No. 298. Introduced by SENATOR GOSTLIN, January 27, 1897—**

<b>"A bill for an act to provide for the general system of common schools, etc., repealing all laws in conflict, and declaring an emergency."</b>	
Read first time and referred to Committee on Education. . . . .	347
Reported back and indefinitely postponed . . . . .	419

**No. 299. Introduced by SENATOR SELF, January 28, 1897—**

<b>"A bill for an act concerning the offices of County Assessors, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on County and Township Business. . . . .	357
Reported back and indefinitely postponed . . . . .	432

**No. 300. Introduced by SENATOR HUMPHREYS, January 28, 1897—**

<b>"A bill for an act defining public highways, and declaring an emergency."</b>	
Read first time and referred to Committee on Roads . . . . .	357
Reported back favorably, report adopted . . . . .	489
Read second time and ordered engrossed . . . . .	527
Read third time and passed . . . . .	574
Returned from House . . . . .	1210
Signed by the Governor . . . . .	1278
Reported by Committee on Enrolled Bills . . . . .	1221
Signed by the Speaker . . . . .	1240

**No. 301. Introduced by SENATOR HOGATE, January 28, 1897—**

<b>"A bill for an act authorizing and empowering County Surveyors to perpetuate section corners as located by government survey, and declaring an emergency."</b>	
Read first time and referred to Committee on County and Township Business	357
Reported back amended . . . . .	433
Read second time and ordered engrossed . . . . .	519
Called up . . . . .	580
Read third time and failed for want of constitutional majority . . . . .	581

**No. 302. Introduced by SENATOR COLLETT, January 28, 1897—**

<b>"A bill for an act to authorize Boards of Trustees, Boards of Managers and public authorities having the control of grounds occupied by penal or benevolent institutions to permit the taking of gravel, etc., for grading public highways, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Roads . . . . .	357
Reported back favorably and report adopted . . . . .	489
Read second time and ordered engrossed . . . . .	527

## No. 303. Introduced by SENATOR HORNER (by request), January 28, 1897—

	Page.
"A bill for an act to regulate the weighing and screening of coal."	
Read first time and referred to Committee on Mines and Mining . . . . .	358
Reported back favorably . . . . .	492
Read second time and recommitted . . . . .	887
Reported back a substitute, adopted . . . . .	887
Read second time and ordered engrossed . . . . .	1059

## No. 304. Introduced by SENATOR WOOD, January 28, 1897—

"A bill for an act to provide for the recovering of costs in actions in Circuit or Superior Courts."	
Read first time and referred to Committee on Judiciary . . . . .	359
Reported back and indefinitely postponed . . . . .	717

## No. 305. Introduced by SENATOR SHIVELY (by request), January 28, 1897—

"A bill for an act authorizing Superintendents and Wardens of the benevolent and correctional institutions to hold autopsies."	
Read first time and referred to Committee on Benevolent Institutions . . . . .	359
Reported back favorably . . . . .	426
Read second time and ordered engrossed . . . . .	527
Read third time and resubmitted to author . . . . .	917, 918
Reported back . . . . .	918
Passed . . . . .	958

## No. 306. Introduced by SENATOR NEWBY (by request), January 28, 1897—

"A bill for an act to amend section 40 of an act concerning public offenses and their punishment, approved April 14, 1881, the same being section 1941 of the Revised Statutes of 1881."	
Read first time and referred to Committee on Judiciary . . . . .	359
Reported back and indefinitely postponed . . . . .	482

## No. 307. Introduced by SENATOR GOCHENOUR, January 28, 1897—

"A bill for an act to legalize the incorporation of the town of Roann, in Wabash County, etc., and declaring an emergency."	
Read first time and constitutional rule suspended . . . . .	365
Read second time . . . . .	365
Read third time and passed . . . . .	365
Returned from House . . . . .	417
Reported by Committee on Enrolled Bills . . . . .	439
Signed by the Speaker . . . . .	446
Signed by the Governor . . . . .	461

## No. 308. Introduced by SENATOR HORNER, January 29, 1897—

"A bill for an act to provide for the examination of mine bosses, fire bosses and hoisting engineers at coal mines, prohibiting the employment of persons not having certificates, etc., and providing penalties."	
Read first time and referred to Committee on Mines and Mining . . . . .	366
Reported back favorably . . . . .	493
Read second time and ordered engrossed . . . . .	526
Read third time, amended and passed . . . . .	636, 637, 638
Returned from House . . . . .	1107
Signed by the Speaker . . . . .	1176
Reported by Committee on Enrolled Bills . . . . .	1179
Signed by the Governor . . . . .	1199



## No. 309. Introduced by SENATOR GOSTLIN, January 29, 1897—

"A bill for an act concerning proceedings in civil cases, etc., and declaring an emergency."		Page.
Read first time and referred to Committee on Judiciary . . . . .		379
Reported back favorably . . . . .		479
Read second time and ordered engrossed . . . . .		695
Read third time and passed . . . . .		812
Returned from House . . . . .		1165
Reported by Committee on Enrolled Bills . . . . .		1216
Signed by the Speaker . . . . .		1230
Signed by the Governor . . . . .		1280

## No. 310. Introduced by SENATOR GOSTLIN, January 29, 1897—

"A bill for an act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair and otherwise improve and construct harbor canals, etc., and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		379
Committee reported recommending bill be printed . . . . .		481
Advanced to second reading by motion . . . . .		715
Read second time and ordered engrossed . . . . .		874

## No. 311. Introduced by SENATOR HUGG, January 29, 1897—

"A bill for an act concerning the sessions of the County Commissioners in counties having not less than 125,000 inhabitants, and declaring an emergency."		
Read first time and referred to Committee on City of Indianapolis . . . . .		380
Reported back favorably . . . . .		405
Read second time and ordered engrossed . . . . .		528
Read third time and passed . . . . .		675
Returned from House . . . . .		1254
Signed by the Governor . . . . .		1289
Reported by Committee on Enrolled Bills . . . . .		1255

## No. 312. Introduced by SENATOR HUGG, January 29, 1897—

"A bill for an act to protect the manufacturers and bottlers of mineral waters, etc., to preserve the ownership and title of bottles and syphons used by them."		
Read first time and referred to Committee on Judiciary . . . . .		380
Reported back favorably . . . . .		598
Read second time and ordered engrossed . . . . .		713
Read third time and passed . . . . .		999
Returned from House . . . . .		1165
Reported by Committee on Enrolled Bills . . . . .		1221
Signed by the Speaker . . . . .		1240

## No. 313. Introduced by SENATOR McCORD (by request), January 29, 1897—

"A bill for an act concerning the incorporation of insurance companies, and declaring an emergency."		
Read first time and referred to Committee on Insurance . . . . .		380

## No. 314. Introduced by SENATOR NEW, January 29, 1897—

"A bill for an act to appropriate the sum of \$704 to pay Andrew Sweeney for labor performed by him for the State of Indiana."		
Read first time and referred to Committee on Claims . . . . .		381
Reported back favorably . . . . .		752
Constitutional rules suspended . . . . .		795
Read second time, considered engrossed and passed . . . . .		795

## No. 315. Introduced by SENATOR NEWBY (by request) January 29, 1897—

"A bill for an act providing for appeals from the Board of Trustees and Common Councils."		
Read first time and referred to Committee on Judiciary . . . . .		381
Reported back and indefinitely postponed . . . . .		481

## No. 316. Introduced by SENATOR NUSBAUM, January 29, 1897—

"A bill for an act regulating and describing the manner under which medicines or combinations of drugs may be sold in the State of Indiana."	Page.
Read first time and referred to Committee on Public Health . . . . .	381
Reported back amended . . . . .	688
Read second time and ordered engrossed . . . . .	872
Made special order for March 2 . . . . .	1033
Indefinitely postponed . . . . .	1116

## No. 317. Introduced by SENATOR NUSBAUM, January 29, 1897—

"A bill for an act to create the office of Public Defender, and defining his duties."	
Read first time and referred to Committee on Judiciary . . . . .	381
Reported back and indefinitely postponed . . . . .	628

## No. 318. Introduced by SENATOR SHEA, January 29, 1897—

"A bill for an act providing for indexing public highways in Auditors' offices."	
Read first time and referred to Committee on County and Township Business . . . . .	382
Reported back favorably . . . . .	607
Read second time, amended and ordered engrossed . . . . .	714
Read third time and passed, title amended . . . . .	742

## No. 319. Introduced by SENATOR GILL, January 29, 1897—

"A bill for an act relating to common schools, repealing all laws in conflict therewith."	
Read first time and referred to Committee on Education . . . . .	382
Indefinitely postponed . . . . .	1261

## No. 320. Introduced by SENATOR LEICH, January 29, 1897—

"A bill fixing the salary of the Quartermaster-General, repealing all laws in conflict therewith, and declaring an emergency."	
Read first time and referred to Committee on Fees and Salaries . . . . .	382
Reported back . . . . .	1267

## No. 321. Introduced by SENATOR MULL, January 29, 1897—

"A bill for an act to amend section 119 of an act fixing the compensation and prescribing the duties of certain State and county officers, etc."	
Read first time and referred to Committee on Fees and Salaries . . . . .	388
Reported back favorably and report adopted . . . . .	501
Read second time and ordered engrossed . . . . .	527
Read third time and failed to pass . . . . .	1028, 1032

## No. 322. Introduced by SENATOR HOGATE, January 29, 1897—

"A bill for an act to authorize to organization and incorporation of mutual fire insurance companies, and defining their powers, rights and duties, etc, and declaring an emergency."	
Read first time and referred to Committee on Insurance . . . . .	389

## No. 323. Introduced by SENATOR NUSBAUM, January 29, 1897—

"A bill for an act making it unlawful for any judge of this State to accept or use any railroad pass or other free transportation over any railroad, and providing penalties."	
Read first time and referred to Committee on Judiciary . . . . .	390
Reported back . . . . .	480
Referred to Committee on Railroads . . . . .	480

## No. 324. Introduced by SENATOR BOZEMAN, February 1, 1897—

"A bill for an act authorizing Boards of County Commissioners to lay out and construct free gravel, macadamized or turnpike roads, etc."		Page.
Read first time and referred to Committee on Roads . . . . .		399
Reported back favorably . . . . .		599
Read second time and amended . . . . .		694
Made special order . . . . .		696
Amended further and ordered engrossed . . . . .	710, 711, 712	
Read third time and passed . . . . .		739, 740

## No. 325. Introduced by SENATOR GILBERT, February 1, 1897—

"A bill for an act to legalize certain actions of the Boards of Trustees of the town of Waterloo."		
Read first time and constitutional rules suspended . . . . .		399
Read second time . . . . .		400
Read third time and passed . . . . .		400
Returned from House . . . . .		447
Reported by Committee on Enrolled Bills . . . . .		473
Signed by the Governor . . . . .		545

## No. 326. Introduced by SENATOR HOLLER, February 1, 1897—

"A bill for an act relating to the collection of statistics by the Chief of the Bureau of Statistics, County Auditors, Township Assessors, etc., and declaring an emergency."		
Read first time and referred to Committee on Agriculture . . . . .		401
Reported back favorably . . . . .		428
Read second time and recommitted . . . . .		493

## No. 327. Introduced by SENATOR HOUGHTON, February 1, 1897—

"A bill for an act to legalize certain surveys made by order of the Board of Trustees of incorporated town of Shoals, etc., and declaring an emergency."		
Read first time and constitutional rules suspended . . . . .		401
Read second time . . . . .		401
Read third time and passed . . . . .		402
Returned from House . . . . .		1165
Reported by Committee on Enrolled Bills . . . . .		1178
Signed by the Speaker . . . . .		1189
Deposited without Governor's approval . . . . .		1224

## No. 328. Introduced by SENATOR HUBBELL (by request), February 1, 1897—

"A bill for an act providing for the taxation of witness fees in cases of misdemeanors tried before any Justice of the Peace, City Judge or Mayor when the defendant pleads guilty, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		402
Reported back favorably and report adopted . . . . .		580
Read second time and ordered engrossed . . . . .		698
Read third time and passed . . . . .		828

## No. 329. Introduced by SENATOR HUGG, February 1, 1897—

"A bill for an act to amend section — of an act entitled an act concerning proceedings in civil cases."		
Read first time and referred to Committee on Judiciary . . . . .		402
Reported back favorably . . . . .		600
Read second time, amended and ordered engrossed . . . . .		712
Read third time and passed . . . . .		826
Title amended . . . . .		826

## No. 330. Introduced by SENATOR JOHNSON (by request), February 1, 1897—

“A bill for an act to amend section 11 of an act entitled a bill prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair, and declaring an emergency.”		Page.
Read first time and referred to Committee on Swamps and Drains . . . . .		402
Reported back and indefinitely postponed . . . . .		601

## No. 331. Introduced by SENATOR O'CONNER, February 1, 1897—

“A bill for an act providing for medical attention to poor persons not inmates of county asylums or city hospitals and matters relating thereto, repealing all laws in conflict therewith, and declaring an emergency.”		
Read first time and referred to Committee on Public Health . . . . .		403
Recommitted to Committee on Public Health . . . . .		412
Reported back favorably . . . . .		612
Read second time and ordered engrossed . . . . .		713
Read third time, failed to pass . . . . .		757

## No. 332. Introduced by SENATOR WOOD, February 1, 1897—

“A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, fixing fees and salaries, repealing all conflicting laws, and declaring an emergency.”		
Read first time and referred to Committee on Fees and Salaries . . . . .		403
Reported back . . . . .		1267

## No. 333. Introduced by SENATOR WOOD (by request), February 1, 1897—

“A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, fixing fees and salaries, etc., and declaring an emergency.”		
Read first time and referred to Committee on Fees and Salaries . . . . .		403
Reported back . . . . .		1267

## No. 334. Introduced by SENATOR HAWKINS, February 1, 1897—

“A bill for an act relative to bonds and other obligations with surety or sureties, etc., and declaring an emergency.”		
Read first time and referred to Committee on Judiciary . . . . .		404
Reported back favorably . . . . .		561
Read second time and ordered engrossed . . . . .		697
Read third time . . . . .		814
Called up and passed . . . . .		822
Returned from House . . . . .		1163
Signed by the Speaker . . . . .		1210
Reported by Committee on Enrolled Bills . . . . .		1206
Signed by the Governor . . . . .		1270

## No. 335. Introduced by SENATOR GOCHENOUR, February 2, 1897—

“A bill for an act to regulate the purchase of record and stationery by committees, making a penalty for violation of same, and declaring an emergency.”		
Read first time and referred to Committee on County and Township Business . . . . .		437
Reported back and indefinitely postponed . . . . .		606

## No. 336. Introduced by SENATOR HOGATE, February 2, 1897—

“A bill for an act to repeal section 4557 of the Revised Statutes of 1881 relating to the granting of diplomas, etc.”		
Read first time and referred to Committee on Education . . . . .		438

## No. 337. Introduced by SENATOR O'BRIEN (by request), February 2, 1897—

"A bill for an act for the better accommodation of law libraries of the Supreme Court, and declaring an emergency."	Page.
Read first time and referred to Committee on Public Libraries . . . . .	479
Reported back favorably and report adopted . . . . .	488
Read second time and ordered engrossed . . . . .	528
Read third time and passed . . . . .	658
Returned from House . . . . .	1165
Signed by the Speaker . . . . .	1230
Reported by Committee on Enrolled Bills . . . . .	1216
Signed by the Governor . . . . .	1270

## No. 338. Introduced by SENATOR SHEA, February 2, 1897—

"A bill for an act providing for the collection of final judgments obtained in the Supreme, Appellate, Superior and Circuit Courts, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	439
Reported back and indefinitely postponed . . . . .	563
Read second time . . . . .	924

## No. 339. Introduced by SENATOR HAWKINS, February 2, 1897—

"A bill for an act concerning the incorporation and government of cities having more than one hundred thousand population, repealing certain sections, and declaring an emergency."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	440
Reported back favorably and report adopted . . . . .	562
Read second time and constitutional rule suspended . . . . .	691
Read third time and passed . . . . .	691, 692
Returned from House . . . . .	741
Reported by Committee on Enrolled Bills . . . . .	758
Signed by the Speaker . . . . .	903
Deposited without the Governor's signature . . . . .	1028

## No. 340. Introduced by SENATOR HAWKINS, February 2, 1897—

"A bill for an act to amend section 78 of an act entitled an act concerning the incorporation and government of cities having more than 100,000 population, etc., and declaring an emergency."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	440
Reported back favorably and report adopted . . . . .	563
Read second time and constitutional rule suspended . . . . .	692
Read third time and passed . . . . .	692
Returned from House . . . . .	741
Reported by Committee on Enrolled Bills . . . . .	758
Signed by the Speaker . . . . .	903
Signed by the Governor . . . . .	928

## No. 341. Introduced by SENATOR HAWKINS, February 2, 1897—

"A bill for an act to amend sections 2 and 4 of an act entitled an act entitled an act to amend sections 4, 6, 7, 8, 9, 10 and 11 of an act concerning the incorporation of cities having more than 100,000 inhabitants, and declaring an emergency."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	440
Reported back favorably and report adopted . . . . .	562
Read second time and constitutional rule suspended . . . . .	693
Read third time and passed . . . . .	693
Returned from House . . . . .	741
Reported by Committee on Enrolled Bills . . . . .	773
Signed by the Speaker . . . . .	903
Signed by the Governor . . . . .	1029

## No. 342. Introduced by SENATOR CULBERT, February 2, 1897—

<b>"A bill for an act to establish a Superior Court for the counties of Lake, Porter and Laporte, defining its authority and jurisdiction, etc., and declaring an emergency."</b>	<b>Page.</b>
Read first time and referred to Committee on Judiciary . . . . .	441
Reported back amended and report adopted . . . . .	560
Read second time and ordered engrossed . . . . .	733, 734
Read third time and passed . . . . .	916
Returned from House amended . . . . .	1154
Amendment concurred in by Senate . . . . .	1157
Reported by Committee on Enrolled Bills . . . . .	1216
Signed by the Speaker . . . . .	1240
Signed by the Governor . . . . .	1285

## No. 343. Introduced by SENATOR CULBERT, February 2, 1897—

<b>"A bill for an act prescribing the duties of fire insurance companies and parties insured in case of loss or damage by fire, etc."</b>	
Read first time and referred to Committee on Insurance. . . . .	441
Indefinitely postponed. . . . .	1255

## No. 344. Introduced by SENATOR CULBERT, February 2, 1897—

<b>"A bill for an act regulating changes of venue in certain cases."</b>	
Read first time and referred to Committee on Judiciary . . . . .	441
Reported back favorably and report adopted . . . . .	557

## No. 345. Introduced by SENATOR HOGATE, February 2, 1897—

<b>"A bill for an act to amend sections 5 and 9 of an act to authorize the organization and incorporation of loan and trust and safe deposit companies, etc."</b>	
Read first time and referred to Committee on corporations . . . . .	449
Reported back favorably. . . . .	524
Read second time and ordered engrossed . . . . .	697
Read third time and passed . . . . .	814

## No. 346. Introduced by SENATOR BALL, February 2, 1897—

<b>"A bill for an act to prevent extortion, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	450
Reported back . . . . .	1269

## No. 347. Introduced by SENATOR WATSON (by request), February 3, 1897—

<b>"A bill for an act appropriating certain sums of money hereinafter specified to Wm. H. Drapier, for services rendered as official stenographer of the Senate at the regular and special sessions of the Fifty-fourth General Assembly."</b>	
Read first time and referred to Committee on Claims . . . . .	450
Reported back and indefinitely postponed . . . . .	752

## No. 348. Introduced by SENATOR HOLLER (by request), February 3, 1897—

<b>"A bill for an act whereby Township Trustees may, by the concurrence of County Commissioners, levy a special road tax for the purpose of liquidating and discharging indebtedness incurred prior to December 1, 1896."</b>	
Read first time and referred to Committee on County and Township Business . . . . .	451
Reported back favorably and report adopted . . . . .	577
Read second time and ordered engrossed . . . . .	1058

## No. 349. Introduced by SENATOR O'CONNOR, February 3, 1897--

<b>"A bill for an act to authorize Trustees to hire janitors for the various school districts in their townships, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	451
Reported back and indefinitely postponed . . . . .	558
Motion to reconsider vote to postpone carried . . . . .	577
Motion to recommit to Committee on Education carried. . . . .	577
Reported back favorably . . . . .	654
Read second time and ordered engrossed . . . . .	877
Read third time and passed . . . . .	959

## No. 350. Introduced by SENATOR SHIVELEY, February 3, 1897—

“A bill for an act to amend section 153 of an act to provide for a general system of common schools, the officers thereof, their powers and duties, etc., and declaring an emergency.”		Page.
Read first time and referred to Committee on Education. . . . .		451
Indefinitely postponed. . . . .		1261

## No. 351. Introduced by SENATOR HUGG, February 3, 1897—

“A bill for an act relating to service of process of courts upon any foreign insurance company and matters relating thereto, and declaring an emergency.”	
Read first time and referred to Committee on Judiciary . . . . .	452
Reported back with amendments—adopted. . . . .	559
Read second time and ordered engrossed . . . . .	714
Read third time and passed . . . . .	1005

## No. 352. Introduced by SENATOR NEWBY, February 3, 1897—

“A bill for an act to abolish the State Live Stock Sanitary Commission, to provide for the appointment of a veterinary surgeon of the Indiana State Board of Agriculture, his duties and compensation, etc.”	
Read first time and referred to Committee on Agriculture. . . . .	452
Reported back and indefinitely postponed . . . . .	820

## No. 353. Introduced by SENATOR NEWBY, February 3, 1897—

“A bill for an act to amend section 48 of an act prescribing who may make wills, etc., and declaring an emergency.”	
Read first time and referred to Committee on Judiciary. . . . .	452
Reported back favorably and report adopted. . . . .	558
Read second time and ordered engrossed. . . . .	890, 1193
Read third time . . . . .	1194
Recommitted to author . . . . .	1201
Reported back and passed. . . . .	1202
Returned from House . . . . .	1217
Reported by Committee on Enrolled Bills . . . . .	1248
Signed by the Speaker. . . . .	1254
Vetoed by Governor . . . . .	1279
Veto sustained . . . . .	1282

## No. 354. Introduced by SENATOR HAWKINS, February 3, 1897—

“A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, repealing all laws in conflict herewith, and declaring an emergency.”	
Read first time and referred to Committee on Fees and Salaries. . . . .	453
Reported back, recommending bill be printed and adopted . . . . .	576
Recommitted. . . . .	648
Substitute reported and adopted . . . . .	828
Read second time and amended. . . . .	1056
Made special order for March 1 . . . . .	1056
Indefinitely postponed . . . . .	1090, 1091

## No. 355. Introduced by SENATOR HAWKINS, February 3, 1897—

“A bill for an act to authorize contracts of lease between existing railroad companies owning or operating railroads under the law of this or any other State.”	
Read first time and referred to Committee on Railroads . . . . .	453
Reported back and indefinitely postponed . . . . .	870

## No. 356. Introduced by SENATOR HAWKINS, February 3, 1897—

“A bill for an act concerning the liability of any town, city or municipality for damages on account of personal injuries.”	
Read first time and referred to Committee on Cities and Towns . . . . .	454
Reported back amended . . . . .	652

## No. 357. Introduced by SENATOR McCORD, February 3, 1897—

"A bill for an act entitled an act on the subject of and relating to railroad crossings, repealing all laws in conflict therewith, and declaring an emergency."	Page.
Read first time and referred to Committee on Railroads . . . . .	454
Reported back favorably . . . . .	868
Read second time and ordered engrossed . . . . .	1060
Read third time and passed . . . . .	1177
Returned from House . . . . .	1226
Reported by Committee on Enrolled Bills . . . . .	1255
Signed by the Governor . . . . .	1290

## No. 358. Introduced by SENATOR BOZEMAN, February 3, 1897—

"A bill for an act to amend sections 2, 3, 5, 6, 8, 9, 10, 11, 15, 22, 26 of an act concerning drainage under specified conditions, etc., and declaring an emergency."	
Read first time and referred to Committee on Swamp Lands and Drains . . .	454
Reported back unfavorably . . . . .	601
Recommitted to same committee . . . . .	749
Reported back recommending amendments . . . . .	788
Read second time and ordered engrossed . . . . .	872
Read third time and passed . . . . .	973

## No. 359. Introduced by SENATOR EARLY, February 3, 1897—

"A bill for an act providing for a metropolitan police force in certain cities, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	455
Reported back majority and minority reports . . . . .	482
Majority report favoring bill adopted . . . . .	482
Read second time and ordered engrossed . . . . .	526
Read third time and passed . . . . .	587, 588
Reconsidered and title amended . . . . .	593
Returned from House . . . . .	778
Reported by Committee on Enrolled Bills . . . . .	956
Signed by the Speaker . . . . .	978
Deposited without the Governor's signature . . . . .	1077

## No. 360. Introduced by SENATOR SELF, February 3, 1897—

"A bill for an act concerning public offenses and their punishment, relating to whoever sells, barterers or offers to sell or barter his vote at any general or primary election."	
Read first time and referred to Committee on Judiciary . . . . .	472
Reported back favorably . . . . .	603
Read second time and ordered engrossed . . . . .	714
Read third time and passed . . . . .	999
Returned from House . . . . .	1241
Signed by the Governor . . . . .	1280
Reported by Committee on Enrolled Bills . . . . .	1255

## No. 361. Introduced by SENATOR DUNCAN, February 4, 1897—

"A bill for an act entitled an act to amend section 422 of an act concerning proceedings in civil cases, approved April 7, 1881."	
Read first time and referred to Committee on Judiciary . . . . .	475
Reported back favorably . . . . .	664
Read second time and ordered engrossed . . . . .	713
Read third time and passed . . . . .	742

## No. 362. Introduced by SENATOR DUNCAN, February 4, 1897—

"A bill for an act concerning the opening of streets and alleys in incorporated towns in the State of Indiana."	
Read first time and referred to Committee on Cities and Towns . . . . .	475
Reported back and indefinitely postponed . . . . .	792



## No. 363. Introduced by SENATOR DUNCAN, February 4, 1897—

"A bill for an act in relation to change of venue and to repeal all laws conflicting therewith, and declaring an emergency."		Page.
Read first time and referred to Committee on Judiciary . . . . .		475
Reported back amended . . . . .		660
Read second time and ordered engrossed . . . . .		878

## No. 364. Introduced by SENATOR DUNCAN, February 4, 1897—

"A bill for an act authorizing women to vote at elections of Boards of School Commissioners of cities of 30,000 or more inhabitants."		
Read first time and referred to Committee on Education . . . . .		476
Reported back to refer to Committee on Affairs of City of Indianapolis adopted		750

## No. 365. Introduced by SENATOR BOBILYA, February 4, 1897—

"A bill for an act relating to the carcass of dead animals being fed to domestic animals or fowls by any person, firm or corporation, and providing penalties for the violation thereof."		
Read first time and referred to Committee on Agriculture . . . . .		490
Reported back and indefinitely postponed . . . . .		599

## No. 366. Introduced by SENATOR ALEXANDER (by request), February 4, 1897—

"A bill for an act to prevent the location of a railroad on real estate held, used or occupied as a cemetery, etc."		
Read first time and referred to Committee on Judiciary . . . . .		490
Reported back with amendment . . . . .		602
Read second time . . . . .		696
Ordered engrossed . . . . .		696
Read third time and passed . . . . .		739

## No. 367. Introduced by SENATOR NEW, February 4, 1897—

"A bill for an act to provide a sinking fund for and the liquidation of the indebtedness of cities of more than 100,000, etc., and declaring an emergency."		
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .		491
Reported back and indefinitely postponed . . . . .		651

## No. 368. Introduced by SENATOR WOOD, February 4, 1897—

"A bill for an act to amend sections 1 and 3 of an act concerning the ownership and alienation of real estate by aliens, and declaring an emergency, approved March 9, 1895, etc."		
Read first time and referred to Committee on Judiciary . . . . .		491
Reported back favorably . . . . .		603
Read second time and ordered engrossed . . . . .		698
Read third time and passed . . . . .		811

## No. 369. Introduced by SENATOR WOOD, February 4, 1897—

"A bill for an act relating to the heating of street railway cars."		
Read first time and referred to Committee on Cities and Towns . . . . .		491
Reported back and indefinitely postponed . . . . .		580

## No. 370. Introduced by SENATOR WOOD, February 4, 1897—

"A bill for an act requiring all claims against Circuit, Superior or Criminal Courts be verified, repealing all laws or parts of laws in conflict therewith, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		491
Reported back favorably . . . . .		662
Read second time and ordered engrossed . . . . .		874

## No. 371. Introduced by SENATOR HUGG, February 4, 1897—

"A bill for an act to amend section 10 of an act providing for voluntary assignments of personal and real property in trust, etc., and declaring an emergency."		Page.
Read first time and referred to Committee on Judiciary . . . . .		492
Reported back favorably . . . . .		659
Read second time and ordered engrossed . . . . .		875

## No. 372. Introduced by SENATOR EARLY, February 4, 1897—

"A bill for an act providing monthly sessions of County Commissioners in counties of 50,000 or more, etc., and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		492
Indefinitely postponed. . . . .		1268

## No. 373. Introduced by SENATOR GILL, February 4, 1897—

"A bill for an act defining official corruption and attempted official corruption and regulating the control and issuance of free passes, etc., to State and county officials by railroads, fixing penalties, etc."		
Read first time and referred to Committee on Judiciary . . . . .		499
Reported back and referred to Committee on Railroads . . . . .		628
Reported back and indefinitely postponed . . . . .		871

## No. 374. Introduced by SENATOR GILL, February 4, 1897—

"A bill for an act to allow the use of voting machinery in town or city elections."		
Read first time and referred to Committee on Judiciary . . . . .		500
Reported back and indefinitely postponed . . . . .		661

## No. 375. Introduced by SENATOR HUMPHREYS, February 4, 1897—

"A bill for an act regulating the visiting of schools by County Superintendents."		
Read first time and referred to Committee on Education. . . . .		500
Reported back and indefinitely postponed . . . . .		750

## No. 376. Introduced by SENATOR O'CONNOR, February 4, 1897—

"A bill for an act to amend section 15 of an act entitled an act to enable the owners of lands to drain and reclaim them, etc., and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		500
Reported back favorably. . . . .		662
Read second time and ordered engrossed . . . . .		872

## No. 377. Introduced by SENATOR GILL, February 4, 1897—

"A bill for an act to amend sections 3369 and 3370, and to repeal section 3371 of the Revised Statutes of 1881, relating to the power and authority of boards of trustees of incorporated towns, and repealing pro tanto all laws in conflict therewith."		
Read first time and referred to Committee on Cities and Towns . . . . .		508
Reported back and indefinitely postponed . . . . .		658

## No. 378. Introduced by SENATOR JOHNSON of Madison, February 5, 1897—

"A bill for an act creating a commission with authority to sell certain lands of the State of Indiana, etc., and declaring an emergency."		
Read first time and referred to Committee on Public Buildings . . . . .		508
Reported back and indefinitely postponed . . . . .		819

## No. 379. Introduced by SENATOR NEW, February 5, 1897—

"A bill for an act concerning elections and the taking of poll."		
Read first time and referred to Committee on Elections . . . . .		508
Reported back favorably . . . . .		746
Read second time and ordered engrossed . . . . .		877
House Bill No. 513 substituted . . . . .		1245

## No. 380. Introduced by SENATOR BOBILYA, February 5, 1897—

"A bill for an act making it unlawful for any person to put up at or procure accommodation, food or entertainment at any hotel, inn or boarding house without paying for same, and providing penalties."		Page.
Read first time and referred to Committee on Judiciary . . . . .		508
Reported back and indefinitely postponed . . . . .		604

## No. 381. Introduced by SENATOR DUNCAN, February 5, 1897—

"A bill for an act authorizing the Trustees of Indiana University to dispose and have transfers of certain real estate and to invest the proceeds thereof, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."		
Read first time and referred to Committee on Education . . . . .		509
Reported back favorably . . . . .		631
Read second time and ordered engrossed . . . . .		695
Read third time and passed . . . . .		743
Returned from House . . . . .		961
Reported by Committee on Enrolled Bills . . . . .		1012
Signed by the Speaker . . . . .		1074
Signed by the Governor . . . . .		1077

## No. 382. Introduced by SENATOR JOHNSON (by request), February 5, 1897—

"A bill for an act to amend sections 1, 5, 6, 10 and 12 of an act relating to the establishment of a Superior Court in the county of Madison, etc., and declaring an emergency."		
Read first time and referred to Committee on Organization of Courts . . . .		518
Reported back and indefinitely postponed . . . . .		631

## No. 383. Introduced by SENATOR HOGATE, February 5, 1897—

"A bill for an act concerning attorneys' fees in claims filed against decedents' estates, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		518
Reported back and indefinitely postponed . . . . .		602

## No. 384. Introduced by SENATOR ELLISON, February 5, 1897—

"A bill for an act to provide for the establishment of boards of education in each civil township, defining their powers, etc."		
Read first time and referred to Committee on Education . . . . .		518
Reported back and indefinitely postponed . . . . .		630

## No. 385. Introduced by SENATOR GILBERT, February 5, 1897—

"A bill for an act to fix the salary of the Adjutant-General and Quartermaster-General, and to provide for the appointment of a stenographer and typewriter by the Adjutant-General."		
Read first time and referred to Committee on fees and salaries . . . . .		523
Reported back favorably. . . . .		609
Motion to strike out enacting clause failed. . . . .		715
Read second time and amended. . . . .		873
Made special order. . . . .		1136
Read third time and amended. . . . .		1153
Passed . . . . .		1154
Returned from House . . . . .		1231
Signed by the Governor . . . . .		1278
Reported by Committee on Enrolled Bills . . . . .		1255

## No. 386. Introduced by SENATOR HORNER, February 8, 1897—

"A bill for an act concerning street, alley and sidewalk improvements in cities having less than 31,000 population, etc., and declaring an emergency."		
Read first time and referred to Committee on Cities and Towns . . . . .		524
Reported back favorably . . . . .		941

## No. 387. Introduced by SENATOR HUBBELL, February 8, 1897—

"A bill for an act to require all corporations existing or claiming to exist under special charters to file notice of their existence with the Secretary of State, etc., and declaring an emergency."	Page.
Read first time and referred to Committee on Corporations . . . . .	525
Reported back favorably . . . . .	613
Read second time and ordered engrossed . . . . .	697

## No. 388. Introduced by SENATOR SELF, February 8, 1897—

"A bill for an act to amend section 32 of an act providing for the organization of county boards and defining their powers and duties."	
Read first time and referred to Committee on County and Township Business.	525
Reported back favorably . . . . .	791
Read second time and ordered engrossed . . . . .	1066

## No. 389. Introduced by SENATOR SHIVELY, February 8, 1897—

"A bill for an act regulating visiting at the hospitals, etc., repealing all laws and parts of laws in conflict."	
Read first time and referred to Committee on Benevolent Institutions . . . .	525
Reported favorably . . . . .	652
Read second time and ordered engrossed . . . . .	714
Read third time and passed . . . . .	1004

## No. 390. Introduced by SENATOR LAFOLLETTE, February 8, 1897—

"A bill for an act to amend section 10 of an act for the prevention of frauds and perjuries, etc."	
Read first time and referred to Committee on Judiciary . . . . .	525
Reported back favorably . . . . .	629
Read second time and ordered engrossed . . . . .	734
Read third time, title amended, and passed . . . . .	899
Returned from House . . . . .	1240
Signed by the Governor . . . . .	1289
Reported by Committee on Enrolled Bills . . . . .	1255

## No. 391. Introduced by SENATOR LAFOLLETTE, February 8, 1897—

"A bill for an act to amend section 67 of the tax laws of 1891, and declaring an emergency."	
Read first time and referred to Committee on Finance . . . . .	526
Reported back majority and minority reports . . . . .	762
Report pending . . . . .	763
Read second time and ordered engrossed . . . . .	1060

## No. 392. Introduced by SENATOR LAFOLLETTE, February 8, 1897—

"A bill for an act to amend sections 3 and 4 of an act of 1895 amending tax laws of 1891, and declaring an emergency."	
Read first time and referred to Committee on Finance . . . . .	526
Reported back to be printed . . . . .	869

## No. 393. Introduced by SENATOR HOLLER (by request), February 8, 1897—

"A bill for an act to regulate the business of telephone and stethophone companies, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	526
Reported back and indefinitely postponed . . . . .	719

## No. 394. Introduced by SENATOR SCHNECK, February 8, 1897—

"A bill for an act regulating the width of tires, etc."	
Read first time and referred to Committee on Roads . . . . .	555
Reported back favorably . . . . .	598
Read second time and ordered engrossed . . . . .	714
Read third time and failed to pass . . . . .	753, 754
Vote by which bill failed reconsidered . . . . .	775
Called up again and failed . . . . .	997, 998

## No. 395. Introduced by SENATOR SCHNECK, February 8, 1897—

"A bill for an act concerning the operation of railroads, prescribing penalties, and declaring an emergency."	Page.
Read first time and referred to the Committee on Judiciary . . . . .	555
Reported back and indefinitely postponed . . . . .	630

## No. 396. Introduced by SENATOR SCHNECK, February 8, 1897—

"A bill for an act authorizing cities within the State to purchase and control water-works, and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	556
Reported back favorably . . . . .	888
Read second time and ordered engrossed . . . . .	1066
Indefinitely postponed. . . . .	1246

## No. 397. Introduced by SENATOR EARLY, February 8, 1897—

"A bill for an act concerning the salaries of the Supreme Court, and to repeal all laws in conflict therewith."	
Read first time and referred to Committee on Fees and Salaries. . . . .	556

## No. 398. Introduced by SENATOR NEW, February 8, 1897—

"A bill for an act concerning Justices of the Peace."	
Read first time and referred to Committee on Judiciary . . . . .	556
Reported back and indefinitely postponed . . . . .	626

## No. 399. Introduced by SENATOR GOSTLIN, February 8, 1897—

"A bill for an act to amend section 1 of an act approved February 23, 1853, entitled an act to authorize railroad companies to consolidate railroad stock, etc., construct their roads on routes heretofore surveyed, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	564
Reported back favorably . . . . .	626
Read second time and ordered engrossed . . . . .	1066

## No. 400. Introduced by SENATOR DUNCAN, February 10, 1897—

"A bill for an act fixing the time of holding the courts in the Tenth Judicial Circuit, etc., and declaring an emergency."	
Read first time and constitutional rules suspended . . . . .	586
Read second time and ordered engrossed . . . . .	586
Read third time and passed . . . . .	587
Returned from House . . . . .	639
Reported by Committee on Enrolled Bills . . . . .	675
Signed by the Speaker . . . . .	706
Signed by the Governor . . . . .	711

## No. 401. Introduced by SENATOR GILBERT, February 10, 1897—

"A bill for an act to provide for the better government, control and management and general supervision of the State prisons at Michigan City and Jeffersonville, repealing all laws and declaring an emergency."	
Read first time and referred to Committee on Prisons . . . . .	593
Reported back favorably . . . . .	642
Read second time and ordered engrossed . . . . .	698
Moved to reconsider . . . . .	937
Vote reconsidered and bill recommitted . . . . .	912, 946
Committee reported substitute and report adopted . . . . .	974
Substitute ordered engrossed . . . . .	974
Rules suspended . . . . .	1034
Read third time and passed . . . . .	1047
Returned from House . . . . .	1231
Reported by Committee on Enrolled Bills . . . . .	1255
Signed by the Governor . . . . .	1289

**No. 402. Introduced by SENATOR WATSON, February 10, 1897—**

<b>"A bill for an act providing for the impeachment and removal from office of public officers, etc., and declaring an emergency."</b>	<b>Page.</b>
Read first time and referred to Committee on Judiciary . . . . .	594
Reported favorably . . . . .	720
Read second time and ordered engrossed . . . . .	733
Text of House Bill No. 530 substituted . . . . .	1244

**No. 403. Introduced by SENATOR JOHNSON of Madison, February 10, 1897—**

<b>"A bill for an act to provide for the satisfaction of the records of mortgages executed to the State of Indiana for the use of the common school fund, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	610
Reported favorably . . . . .	838
Read second time and ordered engrossed . . . . .	1066
Made special order . . . . .	1137
Amended and passed . . . . .	1155

**No. 404. Introduced by SENATOR JOHNSON of Madison, February 10, 1897—**

<b>"A bill for an act to create the office of Food and Dairy Commissioner of the State of Indiana, and repealing all conflicting laws."</b>	
Read first time and referred to Committee on Public Health . . . . .	611
Reported back and indefinitely postponed . . . . .	990

**No. 405. Introduced by SENATOR O'CONNOR, February 10, 1897—**

<b>"A bill for an act to legislate the incorporation of the town of Walcott, White County, Ind., etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Cities and Towns . . . . .	611
Reported back favorably . . . . .	654
Read second time and ordered engrossed . . . . .	875
Read third time and passed . . . . .	1063
Returned from House . . . . .	1231
Reported by Committee on Enrolled Bills . . . . .	1255
Deposited without signature of Governor. . . . .	1285

**No. 406. Introduced by SENATOR SHIVELEY (by request), February 12, 1897—**

<b>"A bill for an act to provide for greater purity of the ballot, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	644
Reported back and ordered printed . . . . .	717
Read third time . . . . .	904

**No. 407. Introduced by SENATOR ELLISON, February 12, 1897—**

<b>"A bill for an act regulating the filing of mechanics' liens, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	644
Reported back favorably . . . . .	722
Vote by which report was adopted reconsidered . . . . .	736
Reported back . . . . .	1263

**No. 408. Introduced by SENATOR GOSTLIN, February 12, 1897—**

<b>"A bill for an act to legalize the incorporation of the city of East Chicago, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Cities and Towns . . . . .	644
Reported back with recommendation to amend . . . . .	702

## No. 409. Introduced by SENATOR HAWKINS, February 12, 1897—

"A bill for an act appropriating money to pay the claims of Theodore E. Brown, etc., and declaring an emergency."		Page.
Read first time and referred to Committee on Claims and Expenditures . . .		645
Reported back favorably . . . . .		753
Read second time and constitutional rule suspended . . . . .		1065
Read third time and passed . . . . .		1065

## No. 410. Introduced by SENATOR HAWKINS, February 12, 1897—

"A bill for an act concerning County Commissioners and their compensation in counties containing an area of not less than 111 square miles, and declaring an emergency."		
Read first time and referred to Committee on County and Township Business.		645
Reported back and indefinitely postponed . . . . .		790

## No. 411. Introduced by SENATOR NUSBAUM, February 12, 1897—

"A bill to regulate the sale of hay, grain, feed and other articles, etc., and declaring an emergency."		
Read first time and referred to Committee on Corporations . . . . .		646
Reported back . . . . .		1260

## No. 412. Introduced by SENATOR GILBERT, February 12, 1897—

"A bill for an act authorizing the appointment of shorthand reporters to take down in shorthand testimony given before grand juries of this State, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		646
Reported favorably . . . . .		718
Read second time, amended and ordered engrossed . . . . .		877, 878

## No. 413. Introduced by SENATOR EARLY, February 12, 1897—

"A bill for an act concerning the paving of streets and alleys in cities and towns, etc., and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		646
Reported back favorably . . . . .		687
Vote reconsidered and bill recommitted to Committee on Judiciary . . . . .		736
Reported back substitute and report adopted . . . . .		783
Read second time and ordered engrossed . . . . .		872
Read third time and passed . . . . .		975
Returned from House . . . . .		1176
Reported by Committee on Enrolled Bills . . . . .		1205
Signed by the Speaker . . . . .		1210
Signed by the Governor . . . . .		1223

## No. 414. Introduced by SENATOR WOOD, February 12, 1897—

"A bill for an act to establish city courts in cities having a population of over 6,000 inhabitants, and repealing all conflicting laws."		
Read first time and referred to Committee on Judiciary . . . . .		646
Reported back and indefinitely postponed . . . . .		719

## No. 415. Introduced by SENATOR WOOD, February 12, 1897—

"A bill for an act concerning elections, providing penalties and repealing all laws in conflict."		
Read first time and referred to Committee on Judiciary . . . . .		646
Reported back . . . . .		1268

**No. 416. Introduced by SENATOR MULL, February 12, 1897—**

<b>"A bill for an act for the more perfect auditing of moneys disbursed by the different departments of State government, and declaring an emergency."</b>	<b>Page.</b>
Read first time and referred to Committee on Judiciary . . . . .	647
Reported back favorably. . . . .	746
Read second time and ordered engrossed . . . . .	877
Read third time and passed . . . . .	901
Returned from House . . . . .	1170
Reported by Committee on Enrolled Bills . . . . .	1204
Signed by the Speaker . . . . .	1210
Signed by the Governor . . . . .	1223

**No. 417. Introduced by SENATOR HORNER, February 12, 1897—**

<b>"A bill for an act providing for a homestead law, and repealing all laws in conflict."</b>	
Read first time and referred to Committee on Judiciary . . . . .	647
Reported back and indefinitely postponed . . . . .	720

**No. 418. Introduced by SENATOR EARLY, February 12, 1897—**

<b>"A bill for an act to amend an act entitled an act to legalize certain sales of real estate by County Auditors, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	685
Reported favorably . . . . .	688
Read second time and constitutional rules suspended . . . . .	1055
Read third time and passed . . . . .	1056

**No. 419. Introduced by SENATOR DUNCAN (by request), February 12, 1897—**

<b>"A bill for an act authorizing the government to enter into a contract with Michael Cain to place an electric light plant in the basement of the State House, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Public Buildings . . . . .	685
Reported back substitute and report adopted . . . . .	819
Read second time and ordered engrossed . . . . .	1059

**No. 420. Introduced by SENATOR GILL, February 12, 1897—**

<b>"A bill for an act to legalize the incorporation of the town of Ladoga, Montgomery County, Indiana, and declaring an emergency."</b>	
Read first time and constitutional rules suspended . . . . .	685
Read second time and considered engrossed . . . . .	686
Read third time and passed . . . . .	686

**No. 421. Introduced by SENATOR GILBERT, February 13, 1897—**

<b>"A bill for an act concerning the incorporation and government of cities having more than 35,000 and less than 49,000, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Cities and Towns . . . . .	687
Reported favorably . . . . .	793
Read second time and ordered engrossed . . . . .	924
Rules suspended . . . . .	959
Read third time and passed . . . . .	966, 967
Returned from House . . . . .	1151
Reported by Committee on Enrolled Bills . . . . .	1216
Signed by the Speaker . . . . .	1230
Signed by the Governor . . . . .	1270

**No. 422. Introduced by SENATOR NEWBY, February 13, 1897—**

<b>"A bill for an act for the collection of city taxes by County Treasurers, providing compensation for County Auditors and Treasurers for services rendered, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	700
Majority and minority report . . . . .	718
Reported back and minority report favoring passage adopted . . . . .	719
Read second time and ordered engrossed . . . . .	891



## No. 423. Introduced by SENATOR SHIVELEY, February 15, 1897—

"A bill for an act to amend the law concerning public offenses and their punishment."	Page.
Read first time and referred to Committee on Railroads . . . . .	702
Reported favorably . . . . .	871
Read second time and ordered engrossed . . . . .	1058

## No. 424. Introduced by SENATOR O'CONNOR, February 15, 1897—

"A bill for an act amending the drainage laws."	
Read first time and referred to Committee on Swamp Lands and Drains . . .	703
Reported back favorably . . . . .	1020

## No. 425. Introduced by SENATOR WOOD, February 15, 1897—

"A bill for an act concerning the duties and compensations of county surveyors."	
Read first time and referred to Committee on Fees and Salaries . . . . .	704

## No. 426. Introduced by SENATOR NEWBY, February 15, 1897—

"A bill for an act to amend sections 3 and 4 of the election law of 1895."	
Read first time and referred to Committee on Judiciary . . . . .	713
Reported favorably . . . . .	721
Rules suspended . . . . .	796
Read second time, considered engrossed . . . . .	796
Read third time and passed . . . . .	796
Returned from House . . . . .	1199
Signed by the Speaker . . . . .	1240
Reported by Committee on Enrolled Bills . . . . .	1221
Signed by the Governor . . . . .	1278

## No. 427. Introduced by SENATOR JOHNSON, February 15, 1897—

"A bill for an act requiring all policies and certificates of insurance to contain applications, constitutions, by-laws or other rules of the corporation, etc."	
Read first time and referred to Committee on Insurance . . . . .	715

## No. 428. Introduced by SENATOR HAWKINS, February 16, 1897—

"A bill for an act for the publication of all legal advertising in counties containing a city of more than 100,000 population, in daily newspapers, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	716
Reported back favorably . . . . .	1069

## No. 429. Introduced by SENATOR HOGATE, February 16, 1897—

"A bill for an act to provide for the printing, indexing and binding this session's acts, etc."	
Read first time and referred to Committee on Finance . . . . .	744
Reported back favorably and rules suspended . . . . .	761
Read second time and ordered engrossed . . . . .	762
Read third time and passed . . . . .	762
Returned from House . . . . .	1024
Reported by Committee on Enrolled Bills . . . . .	1090
Signed by the Speaker . . . . .	1106
Signed by the Governor . . . . .	1149
Recalled for comparison . . . . .	1215

## No. 430. Introduced by SENATOR BALL, February 16, 1897—

"A bill for an act for the relief of Robert Combs."	
Read first time and referred to Committee on Judiciary . . . . .	744
Reported back and indefinitely postponed . . . . .	1138

## No. 431. Introduced by SENATOR BALL, February 16, 1897—

"A bill for an act authorizing change of the boundaries of cities and towns, etc."	Page.
Read first time and Referred to Committee on Cities and Towns . . . . .	744
Reported back favorably . . . . .	888
Read second time and ordered engrossed . . . . .	1055

## No. 432. Introduced by SENATOR GOSTLIN, February 16, 1897—

"A bill for an act legalizing certain free gravel road bonds, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	744
Reported back favorably . . . . .	941
Read second time and constitutional rules suspended . . . . .	1057
Read third time and passed . . . . .	1057

## No. 433. Introduced by SENATOR PATTEN, February 16, 1897—

"A bill for an act to prevent intimidation of voters, prescribing penalties, etc."	
Read first time and referred to Committee on Elections . . . . .	745

## No. 434. Introduced by SENATOR HORNER, February 16, 1897—

"A bill for an act concerning drainage."	
Read first time and referred to Committee on Swamp Lands and Drains . .	745
Reported back favorably . . . . .	907
Read second time and ordered engrossed . . . . .	1049
Constitutional rules suspended . . . . .	1050
Read third time and passed . . . . .	1050
Reported back from House amended . . . . .	1210
Senate concurred in amendments . . . . .	1217
Reported by Committee on Enrolled Bills . . . . .	1248
Signed by the Speaker . . . . .	1254
Vetoed by Governor . . . . .	1288, 1268
Veto sustained . . . . .	1290

## No. 435. Introduced by SENATOR JOHNSON, February 17, 1897—

"A bill for an act abolishing contract labor in the State prisons and establishing the public account system, etc., and declaring an emergency."	
Read first time and referred to Committee on Labor . . . . .	753
Reported back and ordered printed . . . . .	975

## No. 436. Introduced by SENATOR LAFOLLETTE, February 18, 1897—

"A bill for an act concerning the incorporation and government of cities having more than 35,000 and less than 49,000 population, amending sections 67 and 77 of said act, and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	776
Reported back favorably . . . . .	941
Read second time and ordered engrossed . . . . .	1057
Constitutional rule suspended . . . . .	1057
Read third time and passed . . . . .	1057

## No. 437. Introduced by SENATOR WATSON (by request), February 18, 1897—

"A bill for an act relating to gravel roads, making them free, repealing all laws in conflict, and declaring an emergency."	
Read first time and referred to Committee on Public Roads . . . . .	776
Reported back and indefinitely postponed . . . . .	919

## No. 438. Introduced by SENATOR HUMPHREYS, February 18, 1897—

"A bill for an act concerning the levy of taxes to pay bonds issued to raise means to construct free turnpikes or gravel roads."	
Read first time and referred to Committee on County and Township Business . . . . .	776
Reported back favorable . . . . .	871
Read third time and passed . . . . .	955
Returned from House . . . . .	1163
Signed by the Governor . . . . .	1208
Reported by Committee on Enrolled Bills . . . . .	1178

## No. 439. Introduced by SENATOR GOCHENOUR, February 18, 1897—

"A bill for an act to authorize the Boards of Commissioners in this State to purchase toll roads in their respective counties, etc., making all toll roads free."		Page.
Read first time and referred to Committee on Public Roads . . . . .	776	
Reported back and indefinitely postponed . . . . .	919, 920	

## No. 440. Introduced by SENATOR HUBBELL, February 18, 1897—

"A bill for an act to disannex certain lands and territory from the city of Hammond, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .	777	
Reported back and indefinitely postponed . . . . .	1140	

## No. 441. Introduced by SENATOR EARLY, February 18, 1897—

"A bill for an act relating to the manner in which evidence given in any civil or criminal cause may become a part of the record upon appeal to the Supreme Court, and declaring an emergency."		
Read first time and constitutional rules suspended . . . . .	777	
Read second time and considered engrossed . . . . .	779	
Read third time and passed . . . . .	779	
Vote by which bill passed reconsidered . . . . .	826	
Recommitted to author for amendment. . . . .	827	
Author reported and report adopted . . . . .	827	
Bill passed . . . . .	827	
Returned from House amended . . . . .	1240	
Amendments concurred in . . . . .	1238	
Signed by the Governor . . . . .	1280	
Reported by Committee on Enrolled Bills . . . . .	1255	

## No. 442. Introduced by SENATOR HUGG, February 19, 1897—

"A bill for an act to provide for the incorporation of street railroad companies in cities of 100,000 or more, and declaring an emergency."		
Read first time and referred to Committee on Affairs of the City of Indianapolis. . . . .	797	
Reported back favorably. . . . .	815	
Read second time, amended and constitutional rules suspended . . . . .	891	
Read third time and passed . . . . .	891	
Title amended . . . . .	891, 892, 893	
Returned from House . . . . .	1189	
Signed by the Governor . . . . .	1277	
Reported by the Committee on Enrolled Bills . . . . .	1232	

## No. 443. Introduced by SENATOR SHEA, February 19, 1897—

"A bill for an act to license telegraph operators, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .	798	

## No. 444. Introduced by SENATOR NEWBY, February 20, 1897—

"A bill for an act relating to the better government, management, control and general supervision of the Central Hospital, Northern Hospital for Insane, Eastern Hospital for Insane, etc., and declaring an emergency."		
Read first time and referred to the Committee on Judiciary . . . . .	818	
Reported back favorably. . . . .	956	
Constitutional rule suspended. . . . .	962	
Read second time and considered engrossed . . . . .	962	
Read third time and passed . . . . .	963	
Returned from the House . . . . .	1151	
Reported by Committee on Enrolled Bills . . . . .	1178	
Signed by the Speaker . . . . .	1189	
Signed by the Governor . . . . .	1208	

**No. 445. Introduced by SENATOR LEICH, February 20, 1897—**

<b>"A bill for an act providing for the assessment and collection of certain taxes for the completion of the State Soldiers' and Sailors' Monument, etc., and declaring an emergency."</b>		<b>Page.</b>
Read first time and referred to Committee on Finance. . . . .		818
Reported back and ordered printed . . . . .		906
Read second time and ordered engrossed . . . . .		1060

**No. 446. Introduced by SENATOR HOLLER (by request), February 20, 1897—**

<b>"A bill for an act providing for the repair and extension of certain wagon bridges."</b>		
Read first time and referred to Committee on County and Township Business		818
Reported back favorably . . . . .		904
Read second time and ordered engrossed . . . . .		1064

**No. 447. Introduced by SENATOR LAFOLLETTE, February 20, 1897—**

<b>"A bill for an act concerning the practice in certain cases."</b>		
Read first time and referred to Committee on Judiciary . . . . .		819
Reported back favorably . . . . .		1019

**No. 448. Introduced by SENATOR HOLLER (by request), February 20, 1897—**

<b>"A bill for an act requiring railroad companies to make safe their right of way, etc., and declaring an emergency."</b>		
Read first time and referred to Committee on County and Township Business.		880
Reported favorably . . . . .		904
Read second time and ordered engrossed . . . . .		1060

**No. 449. Introduced by SENATOR EARLY, February 22, 1897—**

<b>"A bill for an act for the protection of human life, prohibiting theft of electricity, providing a penalty and declaring an emergency."</b>		
Read first time and referred to Committee on Judiciary . . . . .		882
Read second time and ordered engrossed . . . . .		1055

**No. 450. Introduced by SENATOR HAWKINS (by request), February 22, 1897—**

<b>"A bill for an act appropriating \$179.20 for Fred Harting."</b>		
Read first time and referred to Committee on Claims and Expenditures . . .		883
Reported back . . . . .		1264

**No. 451. Introduced by SENATOR JOHNSON (by request), February 22, 1897—**

<b>"A bill for an act to legalize certain settlements heretofore made by the Boards of County Commissioners with County Treasurers, and declaring an emergency."</b>		
Read first time and referred to Committee on County and Township Business.		924
Reported back favorably . . . . .		989
Returned from House . . . . .		1210
Reported by Committee on Enrolled Bills . . . . .		1220
Signed by the Speaker . . . . .		1240
Vetoed by the Governor . . . . .		1276
Veto sustained . . . . .		1282

**No. 452. Introduced by SENATOR HOGATE, February 22, 1897—**

<b>"A bill for an act to amend section one (1) of an act for the encouragement of agriculture, etc., and declaring an emergency."</b>		
Read first time and referred to Committee on Agriculture. . . . .		925
Reported back favorably . . . . .		949
Read second time and ordered engrossed . . . . .		1057

No. 453. Introduced by SENATOR O'BRIEN (by request), February 23, 1897—

"A bill for an act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons, etc., and declaring an emergency."		Page.
Read first time and referred to Committee on Judiciary . . . . .		926
Reported back . . . . .		1268

No. 454. Introduced by SENATOR COLLETT, February 23, 1897—

"A bill for an act providing for the conveyance to and from insane hospitals of insane females, providing female attendants, and declaring an emergency."		
Read first time and referred to Committee on Benevolent Institutions . . . .		926
Reported back favorably . . . . .		940

No. 455. Introduced by SENATOR GOSTLIN, February 23, 1897—

"A bill for an act directing the restoration to the swamp-land fund of certain sums of money received into the State Treasury from the sale of swamp lands, etc., to pay for the work of improving the Kankakee River."		
Read first time and referred to Committee on Swamp Lands and Drains . . .		926

No. 456. Introduced by SENATOR EARLY, February 24, 1897—

"A bill for an act for the protection of human life, prohibiting the theft of steam power, etc., fixing penalties, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		938
Reported back favorably . . . . .		1019
Read second time and ordered engrossed. . . . .		1059

No. 457. Introduced by SENATOR EARLY, February 24, 1897—

"A bill for an act to amend an act concerning taxation, and declaring an emergency."		
Read first time and referred to Committee on County and Township Business		938
Reported back favorably . . . . .		1130
Read second time . . . . .		1064
Constitutional rule suspended. . . . .		1064
Read third time and passed . . . . .		1064

No. 458. Introduced by SENATOR STROUP, February 24, 1897—

"A bill for an act providing for voluntary assignments of personal and real property in trust, amending section 1, etc., and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		939
Reported back favorably . . . . .		1019
Read second time and constitutional rule suspended . . . . .		1025
Read third time and passed . . . . .		1026
Returned from House . . . . .		1240
Signed by the Governor . . . . .		1286
Reported by Committee on Enrolled Bills . . . . .		1255

No. 459. Introduced by SENATOR LEICH, February 24, 1897—

"A bill for an act to empower the Common Councils of cities having more than 50,000 and less than 100,000 population to regulate the salary of all elective and appointive officers, etc., and declaring an emergency."		
Read first time and referred to Committee on Cities and Towns . . . . .		939
Reported back favorably. . . . .		1196

No. 460. Introduced by SENATOR LEICH (by request), February 24, 1897—

"A bill for an act to amend section 146 of an act concerning the incorporation and government of cities having more than 50,000 and less than 100,000 population, etc."		
Read first time and referred to Committee on Cities and Towns . . . . .		939
Reported back and indefinitely postponed . . . . .		1196

**No. 461. Introduced by SENATOR HOLLER (by request), February 24, 1897—**

<b>"A bill for an act to authorize Boards of Commissioners to issue bonds to build court houses, etc., and declaring an emergency."</b>	<b>Page.</b>
Read first time, rules suspended . . . . .	659
Read second time, considered engrossed . . . . .	960
Read third time and passed . . . . .	960
Returned from House amended . . . . .	1176
House amendment concurred in . . . . .	1181
Reported by Committee on Enrolled Bills . . . . .	1232
Signed by the Speaker . . . . .	1240

**No. 462. Introduced by SENATOR JOHNSTON of Dearborn, February 24, 1897—**

<b>"A bill for an act fixing the times of holding courts in the Seventh Judicial Circuit of the State of Indiana, etc."</b>	
Read first time and constitutional rules suspended . . . . .	969
Read second time and considered engrossed . . . . .	969
Read third time and passed . . . . .	969
Returned from House . . . . .	1141
Signed by the Speaker . . . . .	1230
Reported by Committee on Enrolled Bills . . . . .	1216
Signed by the Governor . . . . .	1269

**No. 463. Introduced by SENATOR HAWKINS, February 24, 1897—**

<b>"A bill for an act concerning County Commissioners in certain counties, and declaring an emergency."</b>	
Read first time and constitutional rule suspended . . . . .	971
Read second time, considered engrossed . . . . .	972
Read third time and passed . . . . .	972
Motion to furnish House with engrossed copy . . . . .	1225

**No. 464. Introduced by SENATOR HUGG, February 25, 1897—**

<b>"A bill for an act concerning the incorporation and government of cities having more than one hundred thousand population, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	991
Reported favorably . . . . .	1022

**No. 465. Introduced by SENATOR HOLLER (by request), February 25, 1897—**

<b>"A bill for an act for the appointment of three commissioners by the Governor to inquire into the judicial system of the State, etc., and declaring an emergency."</b>	
Read first time and referred to Committee on Organization of Courts . . . . .	999
Committee reported favorably . . . . .	1195

**No. 466. Introduced by SENATOR NEWBY, February 25, 1897—**

<b>"A bill for an act to amend sections 3 and 4 of an act to authorize the Boards of Commissioners of the several counties in this State to purchase the toll roads of their respective counties and make them free, approved March 9, 1895, and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	1000

**No. 467. Introduced by SENATOR NEWBY (by request), February 25, 1897—**

<b>"A bill for an act authorizing the payment of John Dewaine, of Henry County, Ind., for the death of his son, Michael Dewaine, caused by the explosion of natural gas at the Soldiers' and Sailors' Orphans' Home, near Knightstown, Ind., and making an appropriation therefor."</b>	
Read first time and referred to Committee on Claims . . . . .	1000
Indefinitely postponed . . . . .	1264

## No. 468. Introduced by SENATOR GOODWINE, February 26, 1897—

"A bill for an act concerning the qualification of County Superintendents."	Page.
Read first time and referred to Committee on Education . . . . .	1017
Reported back favorably . . . . .	1070

## No. 469. Introduced by SENATOR GILBERT, February 26, 1897—

"A bill for an act concerning County Commissioners, regulating the terms of office thereof, and declaring an emergency."	
Read first time and referred to Committee on County and Township Business	1018
Reported back favorably . . . . .	1054
Read second time and ordered engrossed . . . . .	1076
Rules suspended . . . . .	1083
Read third time and passed . . . . .	1086

## No. 470. Introduced by SENATOR JOHNSON, February 26, 1897—

"A bill for an act to establish a Superior Court in the county of Madison, etc., amending section 10 of an act, and declaring an emergency."	
Read first time and referred to Committee on Organization of Courts . . . . .	1054
Constitutional rules suspended . . . . .	1059
Read second time . . . . .	1059
Read third time and passed . . . . .	1059

## No. 471. Introduced by SENATOR HUBBELL, February 27, 1897—

"A bill for an act to amend section 1 of an act providing for the appointment of Probate Commissioners, etc., and declaring an emergency."	
Read first time and constitutional rule suspended . . . . .	1067
Read second time . . . . .	1067
Read third time and passed . . . . .	1067
Returned from House . . . . .	1231
Signed by the Governor . . . . .	1278
Reported by Committee on Enrolled Bills . . . . .	1248

## No. 472. Introduced by SENATOR GILBERT (by request), February 27, 1897—

"A bill for an act to amend section 8 of the act establishing a State Board of Health."	
Read first time and referred to Committee on Public Health . . . . .	1068

## No. 473. Introduced by SENATOR NEW, February 27, 1897—

"A bill for an act providing for the better protection of railway employes and others, etc., and declaring an emergency."	
Read first time and referred to Committee on Railroads . . . . .	1082

## No. 474. Introduced by SENATOR SELF, March 1, 1897—

"A bill for an act to establish the office of County Assessor, etc., and repealing all laws in conflict."	
Read first time and referred to Committee on Judiciary . . . . .	1083
Reported back amended . . . . .	1139

## No. 475. Introduced by SENATOR WOOD, March 1, 1897—

"A bill for an act governing the intersections of sewers in cities of less than 35,000, etc., and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	1084
Reported back favorably . . . . .	1196

## No. 476. Introduced by SENATOR HUGG (by request), March 1, 1897—

"A bill for an act to amend section 1 of an act entitled 'An act concerning bank officers, brokers, etc., receiving deposits after insolvency, etc.,' and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	1090

**No. 477. Introduced by SENATOR SHEA, March 3, 1897—**

<b>"A bill for an act in relation to the Clerks and Sheriffs of the Circuit Courts, etc., and declaring an emergency."</b>	<b>Page.</b>
Read first time and constitutional rule suspended . . . . .	1147
Read second time and considered engrossed . . . . .	1147
Read third time and passed . . . . .	1147

**No. 478. Introduced by SENATOR DRUMMOND, March 3, 1897—**

<b>"A bill for an act fixing the times for holding court in the Forty-first Judicial Circuit of the State of Indiana."</b>	
Read first time and referred to Committee on Judiciary . . . . .	1167
Reported back . . . . .	1268

**No. 479. Introduced by SENATOR GOAR, March 4, 1897—**

<b>"A bill for an act in regard to taxation."</b>	
Read first time and referred to Committee on Finance . . . . .	1171
Reported back to be printed . . . . .	1217



## HOUSE BILLS IN SENATE.

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**No. 1. Introduced by MR. THOMAS, January 11, 1897—**

<b>"A bill for an act appropriating one hundred thousand dollars to defray the expenses of the Sixtieth General Assembly, and declaring an emergency."</b>	<b>Page.</b>
Read first time and constitutional rules suspended . . . . .	71
Read second time and amended . . . . .	71
Read third time and passed . . . . .	72
Title amended . . . . .	72
Amendments concurred in by House . . . . .	108
Signed by the President . . . . .	119

**No. 10. Introduced by MR. MONYHAN, March 4, 1897—**

<b>"A bill for an act concerning the education of children."</b>	
Read first time and referred to Committee on Education . . . . .	1165
Reported back favorably . . . . .	1193
Read second time . . . . .	* 1.04
Made special order for March 6 . . . . .	1204
Read third time . . . . .	1230
Passed . . . . .	1231, 1232

**No. 15. Introduced by MR. ROOTS, January 28, 1897—**

<b>"A bill for an act to provide a committee to visit penal, benevolent and educational institutions, for the purpose of recommending appropriations to the General Assembly."</b>	
Read first time and referred to Committee on Benevolent Institutions . . . .	362
Reported back . . . . .	427
Constitutional rules suspended . . . . .	427
Read second time . . . . .	428
Read third time and passed . . . . .	428

**No. 22. Introduced by MR. PAYNE, January 25, 1897—**

<b>"A bill for an act to establish a Superior Court in the county of Grant, to define its jurisdiction, to provide for the appointment and election of a Judge, to fix his salary, etc., and declaring an emergency."</b>	
Received from the House . . . . .	303
Read first time and referred to Committee on Organization of Courts . . . .	303
Reported back . . . . .	343
Constitutional rules suspended . . . . .	352
Read second time . . . . .	352
Read third time and passed . . . . .	352

**No. 32. Introduced by MR. NICHOLSON, January 27, 1897—**

<b>"A bill for an act to divide the State into Circuits for Judicial purposes, fixing the time of holding courts therein, abolishing the Court of Common Pleas, etc., and declaring an emergency."</b>	
Read first time and substituted for Senate Bill No. 18 . . . . .	325
Constitutional rules suspended . . . . .	360
Read second time . . . . .	360
Read third time and passed . . . . .	361

## No. 36. Introduced by MR. LINCK, February 5, 1897—

"A bill for an act to provide for a revision of the laws of the State of Indiana relative to municipal corporations, including counties, civil and school townships, cities and towns, and declaring an emergency."		Page.
Read first time and referred to Committee on County and Township Business.		516
Reported back amended . . . . .		607
Read second time and amended . . . . .		677
Motion to reconsider . . . . .		815
Called up . . . . .		878
Read second time . . . . .		880
Read third time and failed to pass. . . . .		1159, 1160

## No. 44. Introduced by MR. WAIR, February 8, 1897—

"A bill for an act concerning civil process, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		572
Reported back amended . . . . .		957
Read second time . . . . .		1053
Made special order for February 27 . . . . .		1053
Called up . . . . .		1074
Amended . . . . .	1078, 1079, 1080,	1081
Made special order . . . . .		1113
Read third time . . . . .		1122
Passed . . . . .		1125

## No. 46. Introduced by MR. JONES, March 3, 1897—

"A bill for an act providing for equal educational advantages."		
Read first time and referred to Committee on Education . . . . .		1142
Indefinitely postponed . . . . .		1255
Motion to reconsider . . . . .		1258
Defeated . . . . .		1259

## No. 49. Introduced by MR. HICKS, January 27, 1897—

"A bill for an act appropriating money for the payment of the claims of the Western Paving and Supply Company for paving."		
Received from the House . . . . .		348
Read first time and referred to the Committee on Claims . . . . .		348
Reported back favorably . . . . .		499
Read second time . . . . .		679
Read third time and passed . . . . .		680

## No. 58. Introduced by MR. SUTTON, February 4, 1897—

"A bill for an act providing for attorney's fees when a mechanic, artisan, miner, laborer, servant or employe sues for wages."		
Read first time and referred to Committee on Judiciary . . . . .		493
Reported back and indefinitely postponed . . . . .		629

## No. 63. Introduced by MR. CANADA, January 29, 1897—

"A bill for an act to amend section 2 of an act concerning highways and supervisors thereof, approved March 2, 1883, and declaring an emergency."		
Read first time and referred to Committee on County and Township Business		371
Reported back favorably . . . . .		1129
Read second time . . . . .		1182

## No. 73. Introduced by MR. LAMBERT, February 5, 1897—

"A bill for an act to provide for the transaction of business in cases of vacancy in the office of judge, or in case of the inability or disqualification of judge to act, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		517
Reported back and indefinitely postponed . . . . .		630

## No. 74. Introduced by MR. JERNEGAN, February 22, 1897—

“A bill for an act to amend section 14 of an act entitled an act touching the relation of guardian, ward, etc., and declaring an emergency.”		Page.
Read first time and referred to Committee on Judiciary . . . . .		898
Reported back favorably . . . . .		1018
Read second time . . . . .		1088

## No. 76. Introduced by MR. REMINGTON, January 13, 1897—

“A bill for an act regulating the taxing of dogs for the protection of sheep, etc., and fixing penalties and declaring an emergency.”	
Read first time and referred to the Committee on Agriculture . . . . .	951
Recommitted to Committee on Agriculture . . . . .	1018
Reported back favorably . . . . .	1018
Read second time . . . . .	1088
Read third time and failed for want of constitutional majority . . . . .	1132
Read again and passed . . . . .	1182

## No. 77. Introduced by MR. REMINGTON, February 5, 1897—

“A bill for an act to prohibit the assessment to the adjacent property holders of real estate occupied by any railroad company or public highways, repealing all laws in conflict and declaring an emergency.”	
Read first time and referred to Committee on Agriculture . . . . .	517
Reported back favorably . . . . .	600
Read second time . . . . .	677
Ordered printed . . . . .	691
Read third time . . . . .	1095
Passed . . . . .	1096

## No. 87. Introduced by MR. EICHHORN, February 4, 1897—

“A bill for an act repealing section 3 of an act entitled an act to provide for the wording of wills and order of court in certain cases, approved March 9, 1891, and declaring an emergency.”	
Read first time and referred to Committee on Judiciary . . . . .	474
Reported back to be printed . . . . .	664, 665
Read second time . . . . .	878
Read third time and passed . . . . .	1088

## No. 88. Introduced by MR. WEINER, February 18, 1897—

“A bill for an act fixing time for elections in incorporated towns.”	
Read first time and referred to Committee on Cities and Towns . . . . .	773
Reported back amended . . . . .	792

## No. 93. Introduced by MR. HEDGCOCK, February 17, 1897—

“A bill for an act to amend section 2 of an act entitled an act concerning liens of mechanics, laborers and material men, and declaring an emergency.”	
Read first time and referred to Committee on Judiciary . . . . .	747
Reported back . . . . .	1269

## No. 96. Introduced by MR. SMITH of Allen, January 23, 1897—

“A bill for an act for the regulation of weights and measures, approved March 9, 1885, and adding a supplemental section thereto, prescribing a penalty, and declaring an emergency.”	
Received from the House . . . . .	310
Read first time and referred to Committee on Agriculture . . . . .	310
Reported back favorably . . . . .	332
Read second time . . . . .	379, 388
Read third time and passed . . . . .	477

## No. 97. Introduced by MR. RYAN, February 5, 1897—

<b>"A bill for an act to prevent the destruction of quail, ruffed grouse and pinnated grouse."</b>	<b>Page.</b>
Read first time and referred to Committee on Federal Relations . . . . .	517
Reported back favorably . . . . .	940
Read second time . . . . .	1053
Read third time and passed . . . . .	1096

## No. 100. Introduced by MR. TITUS, January 14, 1897—

<b>"A bill for an act to fix the time of holding court in the Twentieth Judicial Circuit in the State of Indiana."</b>	
Read first time and constitutional rules suspended . . . . .	137
Read second time . . . . .	138
Read third time and passed . . . . .	138

## No. 103. Introduced by MR. CLAUSER, January 29, 1897—

<b>"A bill for an act for the relief of Henderson Dunkle of Carroll County, Indiana, to authorize and direct the Governor to issue to him a patent for certain real estate, and relinquishing the claims of the State of Indiana to said real estate."</b>	
Read first time and referred to Committee on Swamp Lands . . . . .	371
Reported back favorably . . . . .	448
Read second time . . . . .	680
Read third time and passed . . . . .	1026

## No. 104. Introduced by MR. KAYSER, January 14, 1897—

<b>"A bill for an act providing for election of Township Trustees."</b>	
Read first time and referred to Committee on County and Township Business. . . . .	906
Reported back and indefinitely postponed . . . . .	990

## No. 105. Introduced by MR. KAYSER, February 1, 1897—

<b>"A bill for an act designating who may solemnize marriage."</b>	
Read and referred to Committee on Judiciary . . . . .	413
Reported back favorably . . . . .	558
Read second time . . . . .	677
Read third time and passed . . . . .	1127

## No. 110. Introduced by MR. McCART, February 9, 1897—

<b>"A bill for an act to legalize the acts of Notaries Public."</b>	
Read first time and referred to Committee on Judiciary . . . . .	591
Reported back favorably . . . . .	718
Read second time . . . . .	1087
Read third time and passed . . . . .	1131

## No. 111. Introduced by MR. ROOSE, February 11, 1897—

<b>"A bill for an act creating a Labor Commission."</b>	
Read first time and referred to Committee on Labor and Statistics . . . . .	641
Reported back favorably . . . . .	794
Read second time . . . . .	890
Read third time and passed . . . . .	1115, 1116

## No. 114. Introduced by MR. MORRIS, January 14, 1897—

"A bill for an act to amend section 11 of an act of the General Assembly concerning taxation."	Page.
Read first time and referred to Committee on County and Township Business.	905
Reported back favorably . . . . .	989
Read second time . . . . .	1076
Called up . . . . .	1129
Read third time . . . . .	1187
Recommitted . . . . .	1189
Reported back . . . . .	1190
Passed, title amended . . . . .	1190

## No. 115. Introduced by MR. BISHOP, January 25, 1897—

"A bill for an act prescribing certain powers of incorporated cities."	
Received from House . . . . .	310
Read first time and referred to Committee on Cities and Towns . . . . .	310
Reported back amended . . . . .	484
Read third time and passed . . . . .	977

## No. 120. Introduced by MR. WILLOUGHBY, February 4, 1897—

"A bill for an act providing for the discharge of prisoners from State prisons, making an appropriation to carry the same in effect, repealing all laws in conflict therewith and declaring an emergency."	
Read first time and referred to Committee on Prisons . . . . .	474
Reported back favorably . . . . .	601
Vote reconsidered . . . . .	816
Read second time and amended . . . . .	878
Read third time and passed . . . . .	1005

## No. 122. Introduced by MR. NICHOLSON, March 2, 1897—

"A bill for an act to amend section 1 of an act to regulate and license the sale of liquors."	
Read first time and referred to Committee on Temperance . . . . .	1111
Reported back favorably . . . . .	1197
Constitutional rule suspended . . . . .	1198
Read second time . . . . .	1198
Read third time . . . . .	1198
Made special order . . . . .	1200
Passed . . . . .	1208

## No. 125. Introduced by MR. ARCHIBALD, January 14, 1897—

"A bill for an act providing for the relocating of county seats."	
Read first time and referred to Committee on Judiciary . . . . .	928
Indefinitely postponed . . . . .	1141

## No. 126. Introduced by MR. ARCHIBALD, February 26, 1897—

"A bill for an act to amend section 5929 of the Revised Statutes of 1881 concerning the duties of County Treasurers."	
Read first time and referred to Committee on County and Township Business	1024
Reported back favorably . . . . .	1128
Read second time . . . . .	1193

## No. 127. Introduced by MR. LINCK, February 8, 1897—

"A bill for an act defining the Fifth Judicial Circuit of the State of Indiana, etc., and declaring an emergency."	
Read first time and referred to Committee on Organization of Courts. . . . .	571
Reported back amended . . . . .	648
Constitutional rule suspended. . . . .	1180
Read second time . . . . .	1181
Read third time and passed . . . . .	1181

## No. 128. Introduced by MR. LINCK, February 11, 1897—

"A bill for an act to amend section 13 of an act to construct plank, macadam or gravel roads."		Page.
Read first time and referred to Committee on Roads . . . . .		639
Reported back and indefinitely postponed . . . . .		919

## No. 133. Introduced by MR. STETLER, January 27, 1897—

"A bill for an act to appropriate the sum of \$8,421 to complete the work of the Indiana Chickamauga Park Commission."		
Received from the House . . . . .		353
Read first time and referred to Committee on Military Affairs . . . . .		353
Reported back favorably . . . . .		372
Constitutional rule suspended. . . . .		476
Read second time . . . . .		477
Read third time and passed . . . . .		477

## No. 138. Introduced by MR. LITTLETON, March 2, 1897—

"A bill for an act to amend section 3 of an act concerning the public printing, etc."		
Read first time and referred to Committee on Fees and Salaries. . . . .		1117
Reported back favorably. . . . .		1161
Read second time . . . . .		1182
Read third time and passed . . . . .		1236

## No. 142. Introduced by MR. BLANKENSHIP, February 9, 1897—

"A bill for an act relating to practice in libel and slander suits."		
Read first time and referred to Committee on Judiciary . . . . .		583
Reported back favorably . . . . .		658
Read second time . . . . .		878
Read third time and passed . . . . .		1108

## No. 144. Introduced by MR. BROWN, February 9, 1897—

"A bill for an act to regulate the duties of County Surveyors."		
Read first time and referred to Committee on Judiciary . . . . .		581
Reported back favorably . . . . .		781
Read second time . . . . .		881
Read third time and passed . . . . .		1096

## No. 147. Introduced by MR. SUTTON, February 11, 1897—

"A bill for an act enlarging the duties of Trustees for incorporated towns."		
Read first time and referred to Committee on Cities and Towns . . . . .		633
Reported back favorably. . . . .		702
Read second time . . . . .		1088
Read third time and passed . . . . .		1160
Recommitted. . . . .		1160
Reported back . . . . .		1161
Passed . . . . .		1162

## No. 150. Introduced by MR. JAMES, February 9, 1897—

"A bill for an act to continue school fund loans in certain cases."		
Read first time and referred to Committee on Judiciary . . . . .		581
Reported back and indefinitely postponed . . . . .		627
Called up. . . . .		680

## No. 152. Introduced by MR. CANADA, February 27, 1897—

"A bill for an act to regulate the sale of tobacco to children."		
Read first time and referred to Committee on Judiciary . . . . .		1075
Reported back amended. . . . .		1139

## No. 153. Introduced by MR. CANADA, February 9, 1897—

"A bill for an act authorizing cities to survey and plat unplatted land."	Page.
Read first time and referred to Committee on Cities and Towns . . . . .	593
Reported back favorably . . . . .	792
Read second time . . . . .	1051
Indefinitely postponed . . . . .	1134

## No. 157. Introduced by MR. SUTTON, January 14, 1897—

"A bill for an act to amend section 2 of an act to require railroad companies to give notice at stations whether passenger trains are on schedule time."	
Read first time and referred to Committee on Railroads . . . . .	905
Reported back favorably . . . . .	1135
Read second time . . . . .	1160
Read third time and passed . . . . .	1183

## No. 167. Introduced by MR. REYNOLDS, February 2, 1897—

"A bill for an act prohibiting the manufacture and sale of cigarettes and cigarette paper, etc."	
Read first time and referred to Committee on Public Health . . . . .	437
Returned to the House for further consideration . . . . .	464
Returned from the House without action . . . . .	487
Vote by which bill was returned to House reconsidered . . . . .	487
Reported from Committee amended . . . . .	561
Read second time and amended . . . . .	678, 679
Read third time and passed . . . . .	1114
Motion to have returned from House for correction . . . . .	1132
Returned from House . . . . .	1141

## No. 171. Introduced by MR. EICHHORN, January 16, 1897—

"A bill for an act to legalize the incorporation of the town of Keystone, Wells County, Indiana, and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	153
Constitutional rules suspended . . . . .	442
Read second time and considered engrossed . . . . .	442
Read third time and passed . . . . .	442

## No. 176. Introduced by MR. EAST, March 1, 1897—

"A bill for an act concerning the organization of railroad corporations, and regulating manner of connecting with other lines, etc."	
Read first time and referred to Committee on Railroads . . . . .	1092
Indefinitely postponed . . . . .	1264

## No. 177. Introduced by MR. EAST, January 28, 1897—

"A bill for an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	366, 367
Reported back amended . . . . .	480
Read second time . . . . .	677
Read third time and passed . . . . .	690

## No. 181. Introduced by MR. GODDARD, February 18, 1897—

"A bill for an act to amend section 22 of an act concerning enclosures."	
Read first time and referred to Committee on Federal Relations . . . . .	769
Reported back favorably . . . . .	940
Read second time . . . . .	1087
Read third time and failed to pass . . . . .	1137

**No. 182. Introduced by MR. MORRIS of Floyd, January 11, 1897—**

<b>"A bill for an act to legalize the official acts of minors acting as deputies to any public officers, and declaring an emergency."</b>	<b>Page.</b>
Received from House . . . . .	191
Read first time and referred to Committee on Cities and Towns . . . . .	191
Reported back favorably . . . . .	274
Read second time . . . . .	675
Read third time and passed . . . . .	1050

**No. 186. Introduced by MR. LINCK, February 19, 1897—**

<b>"A bill for an act to declare unlawful and void all arrangements and contracts made to lessen free competition."</b>	
Read first time and referred to Committee on Judiciary . . . . .	808
Reported back favorably . . . . .	1068
Read second time . . . . .	1088
Made special order for March 3 . . . . .	1129
Read third time and passed . . . . .	1144

**No. 187. Introduced by MR. RIFENBURG, February 9, 1897.**

<b>"A bill for an act to legalize municipal elections, terms of office, etc., and declaring an emergency."</b>	
Read first time and referred to the Committee on Judiciary . . . . .	591
Reported back favorably . . . . .	883
Read second time . . . . .	883
Constitutional rule suspended . . . . .	884
Read third time and passed . . . . .	884

**No. 188. Introduced by MR. ELLIOTT, January 28, 1897.**

<b>"A bill for an act to incorporate the town of Irvington, in Marion County, Indiana, and declaring an emergency."</b>	
Received from the House . . . . .	353
Reported back favorably . . . . .	424
Constitutional rules suspended . . . . .	429
Read second time . . . . .	430
Read third time and passed . . . . .	430

**No. 189. Introduced by MR. HICKS, January 27, 1897.**

<b>"A bill for an act appropriating money for the claim of Dunn &amp; Mankedick, heretofore assigned to August M. Kuhn, for paving with cement the sidewalks in front of the ground of the Institution for the Deaf and Dumb."</b>	
Received from House . . . . .	348
Read first time and referred to Committee on Claims . . . . .	348
Reported back favorably . . . . .	610
Read second time . . . . .	881
Read third time and passed . . . . .	1108

**No. 190. Introduced by MR. HICKS, January 28, 1897—**

<b>"A bill for an act appropriating money for the payment of the claim of F. M. Snyder &amp; Co., heretofore assigned to August M. Kuhn, for paving."</b>	
Received from the House . . . . .	353
Read first time and referred to Committee on Claims . . . . .	353
Reported back favorably . . . . .	610
Read second time . . . . .	880
Read third time and passed . . . . .	1158

**No. 195. Introduced by MR. McCART, February 9, 1897—**

<b>"A bill for an act to provide for the publication of Township Trustees' reports."</b>	
Read first time and referred to Committee on County and Township Business . . . . .	591
Reported back amended . . . . .	789
Read second time . . . . .	1087



## No. 196. Introduced by MR. JAMES, February 9, 1897—

“A bill for an act to amend section 13 of an act concerning voluntary assignments of personal and real property.”		Page.
Read first time and referred to Committee on Judiciary . . . . .		591
Reported back favorably . . . . .		717
Read second time . . . . .		880

## No. 198. Introduced by MR. CANADA, February 17, 1897—

“A bill for an act relating to conveyances of land by wives of persons of unsound mind, habitual drunkards and minors under certain cases.”		
Read first time and referred to Committee on Judiciary . . . . .		747
Reported back and indefinitely postponed . . . . .		1018

## No. 199. Introduced by MR. CANADA, February 3, 1897—

“A bill for an act to compel Boards of Commissioners of counties where orphans' homes are maintained to keep destitute and orphan children at orphan homes, etc.”		
Read first time and referred to Committee on Benevolent Institutions . . . .		461
Reported back favorably . . . . .		752
Read second time . . . . .		879, 1079
Indefinitely postponed . . . . .		1158, 1159

## No. 206. Introduced by MR. JERNEGAN, February 19, 1897—

“A bill for an act to regulate the employment of women and children in factories.”		
Read first time and referred to Committee on Labor and Labor Statistics . .		806
Substituted for Senate Bill No. 198 . . . . .		900
Advanced to third reading . . . . .		900
Passed . . . . .		900

## No. 209. Introduced by MR. KRATZ, February 9, 1897—

“A bill for an act to provide for building of flood gates in ditches, etc.”		
Read first time and referred to Committee on Swamp Lands and Drains . . .		570
Reported back favorably . . . . .		654
Read second time . . . . .		881

## No. 213. Introduced by MR. EICHHORN, February 17, 1897—

“A bill for an act concerning preferences by private corporations.”		
Read first time and referred to Committee on Judiciary . . . . .		747
Reported back . . . . .		1269

## No. 214. Introduced by MR. EICHHORN, January 11, 1897—

“A bill for an act to legalize the incorporation of the town of Poneto, Ind., and declaring an emergency.”		
Received from House . . . . .		132
Read first time and referred to the Committee on Judiciary . . . . .		192
Reported back favorably . . . . .		258
Read second time . . . . .		676
Constitutional rule suspended . . . . .		676
Read third time . . . . .		676

## No. 217. Introduced by MR. EAST, January 18, 1897—

“A bill for an act concerning taxation for turnpike and gravel road purposes.”		
Read first time and referred to Committee on Roads . . . . .		905
Reported back favorably . . . . .		990

## No. 220. Introduced by MR. GODDARD, March 6, 1897—

“A bill for an act amending sections 28, 29 and 30, concerning public offenses.”		
Read first time and referred to Committee on Judiciary . . . . .		1227

## No. 224. Introduced by MR. REMINGTON, February 9, 1897—

"A bill for an act concerning hauling of heavy loads over gravel roads at certain periods of the year."	Page.
Read first time and referred to Committee on County and Township Business	583
Reported back favorably . . . . .	789
Read second time . . . . .	881
Read third time and failed to pass . . . . .	1133

## No. 226. Introduced by MR. SHIDELER, March 2, 1897—

"A bill for an act to regulate the practice of medicine."	
Read first time and referred to Committee on Public Health . . . . .	1123
Reported back favorably. . . . .	1128
Special order for March 3 . . . . .	1128
Read second time . . . . .	1148
Called up . . . . .	1150
Constitutional rule suspended. . . . .	1152
Passed . . . . .	1152

## No. 230. Introduced by MR. MARSH, February 12, 1897—

"A bill for an act appropriating \$1,897.20 to pay the claims of Wm. H. Peters for the construction of certain sidewalks."	
Read first time and referred to Committee on Claims and Expenditures . . .	674
Reported back favorably . . . . .	816
Read second time . . . . .	1076
Read third time and passed . . . . .	1112

## No. 231. Introduced by MR. BARLOW, February 9, 1897—

"A bill for an act to amend section 31 of an act concerning taxation."	
Read first time and referred to Committee on Judiciary . . . . .	591
Reported back favorably . . . . .	722
Read second time . . . . .	881
Read third time and passed . . . . .	976

## No. 233. Introduced by MR. NICHOLSON, March 5, 1897—

"A bill for an act to amend sections 1 and 4 of an act concerning interest and usury."	
Read first time and referred to Committee on Judiciary . . . . .	1211

## No. 236. Introduced by MR. BABCOCK, February 16, 1897—

"A bill for an act providing for recording leases of real estate."	
Read first time and referred to Committee on Judiciary . . . . .	741
Reported favorably . . . . .	1019
Read second time . . . . .	1068
Read third time and passed . . . . .	1133
Vote reconsidered and bill recommitted . . . . .	1134
Reported back . . . . .	1135
Passed . . . . .	1135

## No. 237. Introduced by MR. BABCOCK, January 18, 1897—

"A bill for an act providing for the release of mortgages, and legalizing leases."	
Read first time and referred to Committee on Judiciary . . . . .	906
Reported back favorably . . . . .	980
Read second time . . . . .	1052
Read third time and passed . . . . .	1113

## No. 239. Introduced by MR. LITTLETON, February 19, 1897—

		Page.
"A bill for an act relating to the establishment of a Board of Pharmacy."		
Read first time and referred to Committee on Public Health . . . . .		778
Reported back favorably . . . . .		814
Read second time and amended. . . . .		1052
Read third time and passed . . . . .		1121, 1122

## No. 241. Introduced by MR. HICKS, February 22, 1897—

"A bill for an act appropriating money for the payment of the claim of John Kennington."		
Read first time and referred to Committee on Claims and Expenditures . . .		898
Reported back . . . . .		1264

## No. 244. Introduced by MR. McCREA, February 4, 1897—

"A bill for an act to prevent the clipping of horses at certain times and seasons of the year."		
Read first time and referred to Committee on Rights and Privileges . . . . .		493
Reported back and referred to Committee on Agriculture . . . . .		690
Reported back majority and minority report . . . . .		722
Minority report favoring indefinite postponement adopted . . . . .		723

## No. 245. Introduced by MR. BLANKENSHIP, February 9, 1897—

"A bill for an act providing for the election and qualification of Justices of the Peace."		
Read first time and referred to Committee on Judiciary . . . . .		582
Reported back majority and minority report . . . . .		661
Ordered printed . . . . .		661
Read second time . . . . .		879, 880
Read third time and passed . . . . .		1119

## No. 246. Introduced by MR. RECORD, February 11, 1897—

"A bill for an act introducing a new mathematical truth."		
Read first time and referred to Committee on Temperance . . . . .		635
Reported back favorably . . . . .		649
Further consideration postponed . . . . .		677

## No. 247. Introduced by MR. THOMAS, February 9, 1897—

"A bill for an act to amend section 7 of an act concerning landlord and tenant."		
Read first time and referred to Committee on Judiciary . . . . .		590
Reported back amended. . . . .		782
Read second time . . . . .		1087

## No. 249. Introduced by MR. SUTTON, February 15, 1897—

"A bill for an act concerning the cutting down and destroying of briars, thistles, weeds, etc."		
Read first time and referred to Committee on County and Township Business		709
Reported back favorably. . . . .		791
Read second time . . . . .		881
Read third time and passed . . . . .		1097

## No. 264. Introduced by MR. ROSS, February 15, 1897—

"A bill for an act for the protection of owners and keepers of hotels, inns, eating houses, etc., and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		709
Reported back amended. . . . .		781
Read second time . . . . .		1051
Read third time and passed . . . . .		1089

## No. 275. Introduced by MR. LITTLETON, February 8, 1897—

“A bill for an act to amend section 142 of an act concerning taxation, repealing all laws in conflict, and declaring an emergency.”		Page.
Read first time and referred to Committee on County and Township Business		571
Reported back amended. . . . .		790
Read second time . . . . .		881
Read third time and passed . . . . .		1131

## No. 277. Introduced by MR. RIFENBURG, February 8, 1897—

“A bill for an act to amend section one of an act to provide for the general system of common schools, the officers thereof and their respective powers, etc., and declaring an emergency.”		
Read first time and referred to Committee on Corporations . . . . .		551
Reported back favorably . . . . .		578
Read second time and ordered printed . . . . .		678
Substitute offered . . . . .		688
Substitute ordered printed . . . . .		689
Read second time and amended . . . . .		879
Substitute read third time and passed amended . . . . .		1044
Returned to House . . . . .		1048

## No. 287. Introduced by MR. SMITH of Tippecanoe, February 17, 1897—

“A bill for an act to confirm and make valid sales of real estate in the State of Indiana made by Trustees and by domestic and foreign executions and administration.”		
Read first time and referred to Committee on Judiciary . . . . .		747
Reported back favorably . . . . .		782

## No. 290. Introduced by MR. HALL, February 8, 1897—

“A bill for an act authorizing incorporated towns to own and control water works, etc.”		
Read first time and referred to Committee on Cities and Towns . . . . .		571
Reported back, majority and minority report . . . . .		703
Minority report, favoring passage, adopted . . . . .		703
Read second time and amended . . . . .		880
Amended further and ordered engrossed . . . . .		991, 992
Read third time and failed to pass . . . . .		1119, 1120
Vote reconsidered . . . . .		1120
Title amended and bill passed . . . . .		1241, 1242

## No. 294. Introduced by MR. EICHHORN, March 2, 1897—

“A bill for an act to authorize companies, corporations and voluntary associations to erect pumps and tank stations, etc.”		
Read first time and referred to Committee on Natural Gas . . . . .		1107
Reported back favorably . . . . .		1164
Read second time . . . . .		1205
Read third time and passed . . . . .		1216

## No. 295. Introduced by MR. BROWN, February 26, 1897—

“A bill for an act to regulate the taxing of bonds, notes, mortgages and other promises to pay money.”		
Read first time and referred to Committee on Judiciary . . . . .		1024
Reported back . . . . .		1269

## No. 300. Introduced by MR. SMITH of Allen, January 21, 1897—

“A bill for an act fixing the venue of the offense of criminal provocation.”		
Read first time and referred to Committee on Judiciary . . . . .		899
Reported back favorably . . . . .		980
Read second time . . . . .		1052
Read third time and passed . . . . .		1113

## No. 306. Introduced by MR. HEDGCOCK, January 11, 1897—

"A bill for an act making it the duty of county officers to execute papers for the purpose of procuring pensions, bounties, back pay and prize money for soldiers and seamen, their widows and orphans, free of charge, repealing all laws in conflict herewith, and declaring an emergency."		Page.
Read first time and constitutional rules suspended . . . . .		281
Read second time and considered engrossed . . . . .		281
Read third time and passed . . . . .		282
Returned from House, signed by Speaker . . . . .		343

## o. 312. Introduced by MR. MORRIS, February 1, 1897—

A bill for an act to legalize the town of Greenville, Floyd County, Indiana."		
Read first time and referred to Committee on Cities and Towns. . . . .		437
Reported back favorably. . . . .		484
Constitutional rule suspended. . . . .	493,	494
Read second time . . . . .		494
Read third time and passed . . . . .		494
Title amended . . . . .		495
Signed by the Speaker. . . . .		570

## No. 315. Introduced by MR. HART of Huntington, February 8, 1897—

"A bill for an act to amend an act providing for the release of mortgages, etc."		
Read first time and referred to Committee on Judiciary . . . . .		571
Reported back . . . . .		1266

## No. 319. Introduced by MR. LINCK, March 4, 1897—

"A bill for an act for the incorporation of insurance companies, defining their powers, etc."		
Read first time and referred to Committee on Insurance. . . . .		1186
Reported back favorably . . . . .		1193
Read second time . . . . .		1205
Read third time and passed . . . . .		1213

## No. 324. Introduced by MR. McCREA, March 3, 1897—

"A bill for an act to legalize the records and actions of the Board of Trustees of the town of Waynetown, Ind."		
Read first time and referred to Committee on Federal Relations . . . . .		1142
Reported back . . . . .	1269,	1266

## No. 337. Introduced by MR. SENCE, February 17, 1897—

"A bill for an act to prevent the destruction of certain wild game."		
Read first time and referred to Committee on Federal Relations . . . . .		747
Reported back favorably . . . . .		940

## No. 342. Introduced by MR. THOMAS, February 27, 1897—

"A bill for an act to amend section 1 of an act, approved April 10, etc., to amend section 1, etc., of an act concerning the incorporation of towns."		
Read first time and referred to Committee on Judiciary . . . . .		1075
Reported back and indefinitely postponed . . . . .		1139

## No. 343. Introduced by MR. SPOONER, January 25, 1897—

"A bill for an act to require the Terre Haute & Richmond Railroad and the Terre Haute & Indianapolis Railroad to furnish the Legislature with a statement setting forth certain facts, etc."		
Received from House . . . . .		295
Read first time and constitutional rules suspended . . . . .		296
Read second time . . . . .		298
Read third time and passed . . . . .		298
Returned from House signed by Speaker . . . . .		335

## No. 344. Introduced by MR. KELL, March 3, 1897—

"A bill for an act concerning the expenses of county commissioners in certain counties in certain cases."	Page.
Read first time and referred to Committee on County and Township Business	1142
Reported back favorably . . . . .	1215

## No. 351. Introduced by MR. O'BANNON, January 25, 1897—

"A bill for an act to legalize the municipal elections, the organization and official acts of the several Boards of Trustees and all other officials of the town of Mauckport, Harrison County, Indiana, etc., and declaring an emergency."	
Received from the House . . . . .	300
Read first time and referred to the Committee on Judiciary . . . . .	305
Reported back favorably . . . . .	560
Read second time . . . . .	625
Constitutional rule suspended. . . . .	625
Read third time and passed . . . . .	625

## No. 366. Introduced by MR. BERRY, February 16, 1897—

"A bill for an act compelling owners of coal mines to make maps of mines, etc., and declaring an emergency."	
Read first time and referred to Committee on Mines and Mining . . . . .	738
Reported back favorably. . . . .	972
Constitutional rule suspended. . . . .	1225
Bill passed . . . . .	1226

## No. 367. Introduced by MR. SMITH of Tippecanoe, January 27, 1897—

"A bill for an act appropriating the sum of \$358 to reimburse Claude Matthews for expenses as Governor of Indiana at the dedication of the Chickamauga and Chattanooga National Military Park, 1895."	
Read first time and referred to Committee on Finance. . . . .	325
Constitutional rule suspended. . . . .	422
Read second time . . . . .	423
Read third time and passed . . . . .	423

## No. 368. Introduced by MR. TITUS, March 4, 1897—

"A bill for an act relating to division of the congressional township school funds and interest, etc."	
Read first time and referred to Committee on County and Township Business	1165
Reported back . . . . .	1269

## No. 370. Introduced by MR. PACKARD, March 4, 1897—

"A bill for an act to prohibit pastimes and games of chance and for amusements on the 30th day of May—Decoration Day—etc."	
Read first time and referred to Committee on Federal Relations . . . . .	1165
Reported back . . . . .	1266, 1269

## No. 380. Introduced by MR. HEROD, March 2, 1897—

"A bill for an act making it a misdemeanor for any person to represent or advertise himself as the agent of any unauthorized or fictitious insurance company in this State."	
Read first time and referred to Committee on Federal Relations . . . . .	1123
Reported back favorably . . . . .	1137
Read second time . . . . .	1244
Read third time and passed . . . . .	1244

## No. 387. Introduced by MR. GIBSON, February 17, 1897—

"A bill for an act to amend section 10 of an act concerning ferries."	
Read first time and referred to Committee on County and Township Business. . . . .	747
Reported back favorably . . . . .	821
House Bill 387 substituted for Senate Bill 287. . . . .	1006
Read third time and House Bill passed . . . . .	1007

## No. 388. Introduced by MR. THOMAS, February 25, 1897—

"A bill for an act providing for a revision of the statute laws of this State."	Page.
Read first time and referred to Committee on Revision of the Constitution . .	978
Reported back and indefinitely postponed . . . . .	1183

## No. 389. Introduced by MR. RANDOLPH, March 3, 1897—

"A bill for an act to amend section 255 of an act concerning procedure in civil cases."	
Read first time and referred to Committee on Judiciary . . . . .	1142
Reported back. . . . .	1269

## No. 399. Introduced by MR. SPOONER, March 4, 1897—

"A bill for an act to prevent the fraudulent transfer of property by creditors in embarrassed or failing circumstances."	
Read first time and referred to Committee on Judiciary . . . . .	1176
Reported back . . . . .	1269

## No. 400. Introduced by MR. LITTLETON, January 28, 1897—

"A bill for an act concerning public offenses and their punishment, repealing all laws and parts of laws in conflict, and declaring an emergency."	
Received from the House . . . . .	353
Read first time and referred to Committee on Judiciary . . . . .	353
Reported back and indefinitely postponed . . . . .	626

## No. 402. Introduced by MR. NEWTON, March 4, 1897—

"A bill for an act authorizing County Treasurers to pay over to Township Trustees any unexpended balances of any fund collected by special levy for constructing gravel roads or to assist in constructing railroads, etc."	
Read first time and referred to Committee on County and Township Business.	1199
Constitutional rule suspended . . . . .	1229
Bill passed . . . . .	1230

## No. 419. Introduced by MR. THORNTON, March 4, 1897—

"A bill for an act to prevent the sale of impure miners' oil, etc."	
Read first time and referred to Committee on Mines and Mining . . . . .	1165
Reported back favorably . . . . .	1239

## No. 424. Introduced by MR. WILLOUGHBY, February 3, 1897—

"A bill for an act to legalize the joint session of the Board of County Commissioners of Knox County and Sullivan County on the 12th day of December, 1895."	
Received from the House . . . . .	452
Read first time and referred to Committee on Judiciary . . . . .	455
Reported back favorably . . . . .	557
Read second time . . . . .	614
Constitutional rule suspended . . . . .	614
Read third time and passed . . . . .	614

## No. 429. Introduced by MR. ELLIOTT of Henry, March 2, 1897—

"A bill for an act in relation to savings banks, providing for the issuing of stocks, etc."	
Read first time and referred to Committee on Banks. . . . .	1107
Reported back favorably . . . . .	1148
Called up . . . . .	1164
Substituted for Senate Bill No. 262 . . . . .	1148
Read second time . . . . .	1205

**No. 430. Introduced by MR. HART of Huntington, February 4, 1897—**

<b>"A bill for an act to legalize the incorporation of the town of Andrews, in the county of Huntington, State of Indiana, etc., and declaring an emergency."</b>	<b>Page.</b>
Read first time and referred to Committee on Cities and Towns . . . . .	487
Reported back favorably . . . . .	604
Constitutional rules suspended . . . . .	678
Read second time . . . . .	678
Read third time and passed . . . . .	679

**No. 431. Introduced by MR. BROWN, March 5, 1897—**

<b>"A bill for an act to amend section 48 of an act prescribing who may make a will, the effect thereof, what may be devised, etc."</b>	
Read first time and referred to Committee on Judiciary . . . . .	1210
Reported back . . . . .	1269

**No. 433. Introduced by MR. GRAHAM, February 11, 1897—**

<b>"A bill for an act to legalize certain bonds issued by the City of Jeffersonville."</b>	
Read first time and referred to Committee on Judiciary . . . . .	639
Reported back favorably . . . . .	716
Vote on committee report reconsidered and bill recommitted to Committee on Judiciary . . . . .	758
Committee reported back substitute . . . . .	806
Read second time, constitutional rules suspended . . . . .	807
Read third time and passed . . . . .	807
Title amended . . . . .	823
Vote reconsidered . . . . .	947
Constitutional rules suspended . . . . .	948
Passed . . . . .	949

**No. 441. Introduced by MR. LITTLETON, February 11, 1897—**

<b>"A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same, etc."</b>	
Read first time and referred to Committee on Legislative Apportionment . .	639
Reported back . . . . .	667
Read second time and ordered engrossed . . . . .	799, 804
Read third time and passed . . . . .	889, 890

**No. 450. Introduced by MR. GIBSON, February 25, 1897—**

<b>"A bill for an act to amend an act to incorporate the Indiana Cotton Mills, etc."</b>	
Read first time and referred to Committee on Federal Relations . . . . .	993
Reported back favorably . . . . .	1017
Constitutional rule suspended and bill passed . . . . .	1022, 1023

**No. 451. Introduced by MR. GIBSON, March 3, 1897—**

<b>"A bill for an act to amend an act levying a tax for school revenue for tuition fund, etc."</b>	
Read first time and referred to Committee on Education . . . . .	1142
Reported back and recommitted to Committee on Finance . . . . .	1193
Further consideration indefinitely postponed . . . . .	1194

**No. 452. Introduced by MR. SULLIVAN, March 4, 1897—**

<b>"A bill for an act authorizing incorporated towns that have or may contract with any electric light company to levy and collect annual tax of not more than fifty cents on every one thousand dollars to pay for same, etc."</b>	
Received from the House . . . . .	1165
Read first time and referred to Committee on Cities and Towns . . . . .	1167
Indefinitely postponed . . . . .	1265



## No. 470. Introduced by MR. RHODES, March 4, 1897—

"A bill for an act to protect the owners or occupants of any lands that border on navigable water courses."		Page.
Read first time and referred to Committee on Federal Relations . . . . .		1165
Reported back . . . . .		1265

## No. 476. Introduced by MR. LINCK, March 3, 1897—

"A bill for an act to authorize the administrator of the estate of Robert M. Walker, deceased, to erect a monument over the grave of the said deceased, etc."		
Read first time and referred to Committee on Judiciary . . . . .		1142
Reported back . . . . .		1209

## No. 477. Introduced by MR. SPOONER, March 5, 1897—

"A bill for an act concerning mortgages and household goods, etc."		
Read first time and referred to Committee on Judiciary . . . . .		1199
Reported back favorably. . . . .		1236
Constitutional rule suspended and bill passed . . . . .		1237

## No. 479. Introduced by MR. SHIDELER, February 8, 1897—

"A bill for an act to establish Superior Courts in the counties of Grant and Howard, etc., and declaring an emergency."		
Received from the House . . . . .		543
Read first time and constitutional rule suspended . . . . .		546
Read second time . . . . .		546
Read third time and passed . . . . .		546

## No. 480. Introduced by MR. ROOTS, February 17, 1897—

"A bill for an act to limit the powers of Township Trustees in incurring debts, prohibiting the issuance of township warrants when there is no money to the credit of the separate fund, etc."		
Read first time and referred to Committee on Judiciary . . . . .		747
Recommitted to Committee on County and Township Business . . . . .		788
Reported back favorably. . . . .		791
Read second time and amended. . . . .		1052
Motion to reconsider. . . . .		1082
Read third time and failed to pass . . . . .		1097

## No. 484. Introduced by MR. BARLOW, February 26, 1897—

"A bill for an act to amend an act entitled an act providing for the tiling of public drains that have been constructed as open drains, etc."		
Read first time and referred to Committee on Swamps and Drains . . . . .		1024
Reported back favorably . . . . .		1070
Read second time . . . . .		1086
Read third time and passed . . . . .		1126

## No. 486. Introduced by MR. ELLIOTT, February 8, 1897—

"A bill for an act to legalize the acts of Civil Cemetery Association of Spiceland, Ind., and declaring an emergency."		
Read first time and referred to Committee on Corporations . . . . .		552
Reported back favorably . . . . .		613
Read second time . . . . .		881

## No. 487. Introduced by MR. NICHOLSON, March 3, 1897—

"A bill for an act concerning the opening of streets and alleys in incorporated towns in the State of Indiana."		
Read first time and referred to Committee on Cities and Towns . . . . .		1163
Reported back favorably . . . . .		1195
Constitutional rule suspended and bill passed . . . . .		1238

**No. 489. Introduced by MR. SHIDELER, February 25, 1897—**

**"A bill for an act regarding tax of townships for construction of railroads, changing 2 per cent. levy to 1 per cent."**

Read first time and referred to Committee on County and Township Business. . . . .	Page. 978
Reported back and indefinitely postponed . . . . .	1129

**No. 491. Introduced by MR. SMITH of Tippecanoe, March 4, 1897—**

**"A bill for an act to amend section 6 of the tax law of 1891."**

Read first time and referred to Committee on Finance. . . . .	1165
Reported back . . . . .	1262

**No. 492. Introduced by MR. SMITH of Tippecanoe, March 4, 1897—**

**"A bill for an act to amend sections 3 and 4 of acts of 1895, amending tax laws of 1891."**

Read first time and referred to Committee on Finance. . . . .	1165
Reported back . . . . .	1261

**No. 495. Introduced by MR. JONES, February 18, 1897—**

**"A bill for an act to provide for the appointment and compensation of Custodian of Public Buildings and Property, etc."**

Read first time and referred to Committee on Public Buildings. . . . .	773
Reported back favorably . . . . .	775
Read second time . . . . .	880
Rules suspended . . . . .	1034
Read third time and passed . . . . .	1048

**No. 496. Introduced by MR. BLANKENSHIP, February 20, 1897—**

**"A bill for an act providing for the reinvestment of funds belonging to the Indiana State University."**

Read first time and referred to Committee on Education . . . . .	823
Reported back favorably . . . . .	886
Motion to suspend constitutional rule failed to pass . . . . .	886
Called up and passed . . . . .	1023, 1024

**No. 502. Introduced by MR. PECKINPAUGH, March 2, 1897—**

**"A bill for an act providing for monthly sessions of the Boards of County Commissioners of counties having a population of more than 50,000 or less than 100,000."**

Read first time and referred to Committee on Judiciary . . . . .	1107
Reported back favorably . . . . .	1138
Read second time . . . . .	1181
Read third time and passed . . . . .	1184

**No. 503. Introduced by MR. ELLIOTT of Washington, February 6, 1897—**

**"A bill for an act concerning the taxation of certain lands and other property within the limits of cities and towns, etc."**

Read first time and referred to Committee on Judiciary . . . . .	950
Reported back . . . . .	1269

**No. 504. Introduced by MR. NEWTON, March 3, 1897—**

**"A bill for an act providing for the consolidation of voluntary association, etc."**

Read first time and referred to Committee on Benevolent Institutions . . . . .	1163
Reported back favorably . . . . .	1221
Constitutional rule suspended and bill passed . . . . .	1222

## No. 510. Introduced by MR. HARRIS, February 8, 1897—

"A bill for an act authorizing the condemnation and purchase of lands and rights of way for disposition of sewage for State institutions, etc., and declaring an emergency."		Page.
Received from the House . . . . .		544
Read first time and referred to Committee on Benevolent Institutions . . . .		547
Reported back favorably . . . . .		576
Constitutional rules suspended . . . . .		624
Read second time . . . . .		624
Read third time and passed . . . . .		624
Vote by which bill passed reconsidered . . . . .	815,	824
Returned from House . . . . .		875
Recommitted to Committee on Judiciary . . . . .		875
Reported back amended . . . . .		1138
Bill passed . . . . .		1191

## No. 511. Introduced by MR. HART, February 8, 1897—

"A bill for an act to fix the terms of city officers, etc."		
Read first time and referred to Committee on Judiciary . . . . .		928
Reported back and ordered printed . . . . .		1069
Read second time . . . . .		1068
Made special order for March 2 . . . . .		1068
Read third time . . . . .		1121
Indefinitely postponed . . . . .		1121

## No. 513. Introduced by MR. ELLIOTT of Marion, March 3, 1897—

"A bill for an act concerning elections and the taking of polls."		
Read first time and referred to Committee on Elections . . . . .		1151
Substituted for Senate Bill No. 379 and passed . . . . .		1245

## No. 520. Introduced by MR. ROOTS, March 3, 1897—

"A bill for an act to provide for the organization of corporations, associations and societies to do business of life or accident insurance."		
Read first time and referred to Committee on Insurance . . . . .		1159
Reported back favorably . . . . .		1171
Read second time . . . . .		1194
Read third time and passed . . . . .		1213

## No. 521. Introduced by MR. ROOTS, March 4, 1897—

"A bill for an act for the incorporation of insurance companies, etc."		
Read first time and referred to Committee on Insurance . . . . .		1186
Reported back favorably . . . . .		1193
Read second time . . . . .		1206
Made special order for March 6 . . . . .		1206
Read third time and passed . . . . .		1232

## No. 526. Introduced by MR. EAST, February 9, 1897—

"A bill for an act concerning appeals taken from Supreme and Appellate Courts, etc., and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		582
Reported back amended . . . . .		1191
Constitutional rule suspended . . . . .		1192
Read second time . . . . .		1192
Read third time and passed . . . . .		1192

## No. 530. Introduced by MR. LITTLETON, March 6, 1897—

"A bill for an act providing for the impeachment and removal from office of public officers."		
Read first time and referred to Committee on Judiciary . . . . .		1240
Substituted for Senate Bill No. 402 and passed . . . . .		1245

## No. 533. Introduced by MR. RIFENBURG, March 6, 1897—

“A bill for an act to amend section 1 of an act to authorize railroad companies to consolidate their stock with the stock of other railroad companies in this or adjoining States, and to connect their roads with the roads of said companies.”		Page.
Read first time and referred to Committee on Railroads . . . . .		1240
Reported back . . . . .		1246
Read second time . . . . .		1247
Read third time and passed . . . . .		1247

## No. 538. Introduced by MR. REYNOLDS, March 4, 1897—

“A bill for an act authorizing the Governor of the State of Indiana to appoint a commission of three persons to ascertain the practicability of reorganizing the judicial circuit.”		
Read first time and referred to Committee on Judiciary . . . . .		1176
Reported back . . . . .		1209

## No. 539. Introduced by MR. WILLOUGHBY, February 19, 1897—

“A bill for an act to provide for the better government, control, management and general supervision of the State prisons at Michigan City and Jeffersonville.”		
Read first time and referred to Committee on Prisons . . . . .		778

## No. 540. Introduced by MR. LINCK, February 12, 1897—

“A bill for an act defining the Fifth and Seventh Judicial Circuit of the State of Indiana, and declaring an emergency.”		
Read first time and referred to Committee on Organisation of Courts . . . . .		674
Reported back favorably . . . . .		884
Constitutional rule suspended. . . . .		885
Read second time . . . . .		885
Read third time and passed . . . . .		885

## No. 542. Introduced by MR. PECKINPAUGH, February 12, 1897—

“A bill for an act concerning building and loan associations, and repealing all laws and parts of laws in conflict therewith.”		
Read first time and referred to Committee on Building and Loan. . . . .		906
Reported back . . . . .		1101
Constitutional rule suspended . . . . .		1106
Read second time and amended. . . . .		1106
Read third time and passed . . . . .		1106

## No. 543. Introduced by MR. DOWNEY, March 2, 1897—

“A bill for an act fixing the time that the term of County Treasurer shall begin in each county in the State of Indiana.”		
Read first time and referred to Committee on County and Township Business		1109
Reported back favorably . . . . .		1127
Read second time . . . . .		1161
Read third time and passed . . . . .		1186

## No. 544. Introduced by MR. LITTLETON, February 13, 1897—

“A bill for an act to repeal an act entitled an act to fix the number of Senators and Representatives to the General Assembly, etc.”		
Read first time and referred to Committee on Legislative Apportionment . .		970
Reported back . . . . .		1115
Made special order . . . . .		1115
Read second time . . . . .		1117
Made special order . . . . .		1117
Read third time and passed . . . . .		1144

**No. 549. Introduced by MR. MONYHAN, February 13, 1897—**

"A bill for an act defining the Forty-second Judicial Circuit of the State of Indiana, and fixing the time of holding courts within."	<b>Page.</b>
Read first time and referred to Committee on Organization of Courts . . . . .	970
Reported back amended . . . . .	1110
Read second time . . . . .	1157
Constitutional rule suspended . . . . .	1157
Read third time and passed . . . . .	1158

**No. 553. Introduced by MR. REMINGTON, March 2, 1897—**

"A bill for an act for the better government of the State Prisons of Indiana, by requiring a system of gradation."	
Read first time and referred to Committee on Prisons . . . . .	1111

**No. 554. Introduced by MR. PATTERSON of Fulton, March 5, 1897—**

"A bill for an act prohibiting the manufacture and sale of adulterated candy, etc."	
Read first time and referred to Committee on Public Health . . . . .	1210
Reported back . . . . .	1261

**No. 563. Introduced by MR. LITTLETON, March 4, 1897—**

"A bill for an act to legalize the acts of the Boards of County Commissioners in allowing claims of Trustees for moneys paid, etc."	
Read first time and referred to Committee on Judiciary . . . . .	1179
Reported back . . . . .	1269

**No. 564. Introduced by MR. SHIDELER, March 3, 1897—**

"A bill for an act for greater purity in elections and for casting and registering votes by means of voting machines."	
Read first time and referred to Committee on Elections . . . . .	1142

**No. 565. Introduced by MR. DOWNEY, March 6, 1897—**

"A bill for an act to amend sections 1, 2, 5, 6, 7, 8 and 10 of an act entitled an act concerning the construction of free gravel, stone or other roads, etc."	
Read first time and referred to Committee on Roads . . . . .	1214

**No. 566. Introduced by MR. ENGLE, March 6, 1897—**

"A bill for an act to repeal the last of proviso clause of section 2 of an act entitled an act to amend, etc."	
Read first time and referred to Committee on Swamp Lands and Drains . . .	1227

**No. 568. Introduced by MR. RIFENBURG, March 2, 1897—**

"A bill for an act to authorize incorporated cities in this State to construct, extend, etc., harbors, canals, etc., and for that purpose to condemn lands of persons, etc."	
Read first time and referred to Committee on Federal Relations . . . . .	1123
Reported back favorably . . . . .	1137
Substituted for Senate Bill No. 310 . . . . .	1203
Made special order for March 6 . . . . .	1203
Read second time . . . . .	1203
Read third time and passed . . . . .	1228

**No. 577. Introduced by MR. THOMAS, March 4, 1897—**

"A bill for an act concerning places where intoxicating liquors are served and places of clandestine resort, etc."	
Read first time and referred to Committee on Judiciary . . . . .	1165
Reported back . . . . .	1268

**No. 578. Introduced by MR. SUTTON, March 6, 1897—**

"A bill for an act to prevent the creation, maintenance and operation of trusts and combinations in the business of fire and life insurance."		Page.
Read first time and referred to Committee on Judiciary . . . . .		1218

**No. 579. Introduced by MR. HENDERSON, February 18, 1897—**

"A bill for an act to provide for the incorporation of railroad companies, etc."	
Read first time and referred to the Committee on Judiciary . . . . .	770
Constitutional rule suspended and bill passed . . . . .	771, 772

**No. 580. Introduced by MR. BARLOW, February 18, 1897—**

"A bill for an act to amend sections 152 and 227 of an act entitled an act concerning taxation."	
Read first time and referred to Committee on Judiciary . . . . .	770
Reported back favorably . . . . .	1074
Read second time . . . . .	1087
Read third time and passed . . . . .	1125
Vote by which bill passed reconsidered and bill recalled from Governor . .	1177, 1211

**No. 581. Introduced by MR. RIFENBURG, February 18, 1897—**

"A bill for an act to legalize free gravel road bonds issued in certain cases, etc."	
Read first time and referred to Committee on Judiciary . . . . .	770
Reported back favorably. . . . .	1089
Read second time . . . . .	1120
Read third time and passed . . . . .	1206

**No. 584. Introduced by MR. WILLOUGHBY, February 24, 1897—**

"A bill for an act to legalize the actions of Boards of Commissioners, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	970
Reported back favorably . . . . .	1020
Read second time . . . . .	1088
Read third time and passed . . . . .	1130

**No. 586. Introduced by MR. JERNEGAN, March 4, 1897—**

"A bill for an act abolishing contract labor in the State Prison and establishing the public account system, etc."	
Read first time and referred to Committee on Labor . . . . .	1168
Made special order. . . . .	1217
Constitutional rule suspended. . . . .	1234
Passed . . . . .	1235

**No. 596. Introduced by MR. HENDERSON, February 19, 1897—**

"A bill for an act to amend section 23 of an act to incorporate the Terre Haute & Richmond Railroad Company, approved January 26, 1847, and declaring an emergency."	
Read first time and referred to Committee on Railroads . . . . .	809
Constitutional rule suspended and bill passed . . . . .	813

**No. 597. Introduced by MR. BARLOW, February 26, 1897—**

"A bill for an act to provide a general system of common schools, the officers thereof and their respective powers and duties, etc., and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	1045
Reported back favorably . . . . .	1071
Read second time . . . . .	1127
Made special order . . . . .	1216
Read third time and passed . . . . .	1233

**No. 603. Introduced by MR. SMITH of Tippecanoe, March 2, 1897—**

<b>"A bill for an act making appropriations and fixing salaries and office hours for the State government and its institutions, making certain specific appropriations, etc."</b>		<b>Page.</b>
Read first time and ordered printed . . . . .		1118
Special order for March 4 . . . . .		1136
Considered in Committee of the Whole . . . . .	1180, 1170, 1201, 1207, 1209, 1211, 1217, 1219	1219
Constitutional rule suspended . . . . .		1220
Passed . . . . .		1239, 1240, 1241
Conference Committee appointed . . . . .		1248
Reported back . . . . .		1267
Amendments agreed to by House . . . . .		1273
Report of committee . . . . .		

**No. 604. Introduced by MR. CLAUSER, March 4, 1897—**

<b>"A bill for an act to legalize the incorporation of the town of Flora, Ind."</b>		
Read first time and referred to Committee on Cities and Towns . . . . .		1170
Reported back favorably . . . . .		1196
Constitutional rules suspended and bill passed . . . . .		1243

**No. 613. Introduced by MR. HENDERSON, March 3, 1897—**

<b>"A bill for an act to amend sections 5 and 7 of an act to regulate the weighing and screening of coal mined in this State, etc."</b>		
Read first time and referred to Committee on Mines . . . . .		1151
Reported back favorably . . . . .		1239

**No. 625. Introduced by MR. SPOONER, March 6, 1897—**

<b>"A bill for an act to amend section 59 of an act entitled an act concerning the incorporation and government of cities having more than 100,000 population."</b>		
Read first time and referred to Committee on Affairs of Indianapolis . . . . .		1218
Reported back . . . . .		1263

**No. 637. Introduced by MR. PETTIT, March 1, 1897—**

<b>"A bill for an act to require the Terre Haute &amp; Indianapolis Railroad Co., its officers, agents and persons in possession thereof to account to the Attorney-General of the State for the amounts due and owing to the Treasurer of State, etc."</b>		
Read first time and referred to Committee on Railroads . . . . .		1091
Constitutional rule suspended and bill passed . . . . .		1092, 1093

**No. 639. Introduced by MR. ELLIOTT of Marion, March 5, 1897—**

<b>"A bill for an act to amend section one of an act to provide for the appropriation of real estate for cemetery purposes."</b>		
Read first time and referred to Committee on Judiciary . . . . .		1199
Constitutional rule suspended . . . . .		1203
Passed . . . . .		1204

**No. 640. Introduced by MR. ELLIOTT of Marion, March 6, 1897—**

<b>"A bill for an act to establish a system of public parks in cities having more than 100,000 inhabitants, etc."</b>		
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .		1214
Reported back favorably . . . . .		1224
Constitutional rule suspended . . . . .		1224
Read second time . . . . .		1225
Read third time and passed . . . . .		1225

**No. 641. Introduced by MR. LINCK, March 6, 1897—**

<b>"A bill for an act concerning the collection of road taxes and providing penalties for its violation, and declaring an emergency."</b>		
Read first time and referred to Committee on Judiciary . . . . .		1214

# SENATE JOINT RESOLUTIONS.

<b>No. 1. Introduced by SENATOR SHIVELEY, January 7, 1897—</b>	
“A joint resolution that there be appointed a committee of three members on the part of the Senate to act with a like committee on the part of the House to prepare joint rules for the two Houses, and that the House be notified.”	Page. 12
Read and adopted . . . . .	12
 <b>No. 2. Introduced by SENATOR PHARES, January 7, 1897—</b>	
“A joint resolution to notify the Governor that both Houses are organized.”	
Read and adopted . . . . .	10
 <b>No. 3. Introduced by SENATOR HORNER, January 19, 1897—</b>	
“A joint resolution relating to initiative and referendum amendments to constitution.”	
Read and referred to Committee on Revision of the Constitution . . . . .	221
Reported back, indefinitely postponed . . . . .	336
 <b>No. 4. Introduced by SENATOR EARLY, February 16, 1897—</b>	
“A joint resolution relating to section 2 of Article 7 of the Constitution of the State of Indiana and amending same.”	
Read first time and referred to Committee on Revision of the Constitution . .	735
Reported back favorably . . . . .	749
Read second time and amended . . . . .	924
Constitutional rule suspended . . . . .	924
Considered engrossed . . . . .	925
Read third time and passed . . . . .	925
Returned from House . . . . .	1210
Reported by Committee on Enrolled Bills . . . . .	1221
Signed by the Governor . . . . .	1290
 <b>No. 5. Introduced by SENATOR EARLY, February 16, 1897—</b>	
“A joint resolution to amend section 21 of article 7 of the Constitution of the State of Indiana.”	
Read first time and referred to Committee on Revision of the Constitution . .	735
Reported back favorably . . . . .	750
Read second time and ordered engrossed . . . . .	1026
Read third time and passed . . . . .	1027
Returned from the House . . . . .	1254
Reported by Committee on Enrolled Bills . . . . .	1255
Signed by the Governor . . . . .	1279
 <b>No. 6. Introduced by SENATOR WATSON, February 19, 1897—</b>	
“A joint resolution relative to the utilization of the water power at the falls of the Ohio.”	
Read and adopted February 19 . . . . .	780
 <b>No. 7. Introduced by SENATOR GILL, February 19, 1897—</b>	
“A joint resolution relating to the election of members of the General Assembly.”	
Read and referred to Committee on Revision of the Constitution . . . . .	799



## SENATE CONCURRENT RESOLUTIONS.

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**No. 1. Introduced by SENATOR PATTEN, January 12, 1897—**

“A concurrent resolution relative to Cuban independence.”	<b>Page.</b>
Read and referred to Committee on Federal Relations . . . . .	88

**No. 2. Introduced by SENATOR HAWKINS, January 12, 1897—**

“A concurrent resolution relative to railway postal clerks, carriers and postoffice clerks.”	
Read and referred to Committee on Federal Relations. . . . .	
Reported back favorably. . . . .	109
Adopted . . . . .	109
Returned from the House . . . . .	268
Memorial from postal clerks read. . . . .	1284

**No. 3. Introduced by SENATOR HOLLER, January 12, 1897—**

“A concurrent resolution relative to the election of United States Senators by a direct vote of the people.”	
Read and referred to Committee on Federal Relations. . . . .	107
Reported back, majority and minority report . . . . .	237, 238
Minority report adopted. . . . .	238
Returned from the House . . . . .	268

**No. 4. Introduced by SENATOR COLLETT, January 14, 1897—**

“A concurrent resolution relative to the appointment by the Governor of a committee to visit and inspect the Southern Hospital for Insane, situated near Evansville.”	
Read and adopted . . . . .	149

**No. 5. Introduced by SENATOR HAWKINS, January 16, 1897—**

“A concurrent resolution relative to allowing the city of Indianapolis to use for a park and take possession of the ground lying north of the Institution for the Education of the Deaf and Dumb, situated in the city of Indianapolis, the same to be beautified, etc., at the expense of the city of Indianapolis, and the title to remain in the State.”	
Read and referred to Committee on Public Buildings . . . . .	179
Reported majority and minority report, majority report adopted . . . . .	370

**No. 6. Introduced by SENATOR HOLLER, January 19, 1897—**

“A concurrent resolution requesting the Auditor of the State to furnish for the information of the General Assembly a statement showing the gross amount of moneys received from the sale of swamp lands under the act of 1883, page 170, and the acts of 1889, pages 221 and 307, relating to the sale of such lands.”	
Read and adopted . . . . .	149
Returned from House . . . . .	185

## No. 7. Introduced by SENATOR SHIVELEY, January 21, 1897—

"A concurrent resolution relating to the coming biennial convention of Knights of Pythias, to be held in Indianapolis in August, 1898, allowing said body the use of the House of Representatives and other rooms in the State House not in use for committee rooms, etc., and the use of any unoccupied tract or tracts of land belonging to the State in or adjacent to the city of Indianapolis to the military branch of said order, same not exceeding a period of three weeks."

	Page.
Read and adopted . . . . .	261
Returned from the House . . . . .	325

## No. 8. Introduced by SENATOR WATSON, January 21, 1897—

"A concurrent resolution relating to Boards of County Commissioners holding a meeting in Indianapolis to discuss the interests of their several counties, the mode of transacting business, and to adopt plans for the betterment of the transactions of the affairs of their several counties."

Read and failed to pass . . . . .

## No. 9. Introduced by SENATOR JOHNSON of Madison, February 1, 1897—

"A concurrent resolution relating to the appointment of a commission consisting of the Governor, Secretary of State and the Attorney-General, whose duty it shall be to dispose of, at either public or private sale, a tract of ground consisting of about 15 acres lying north of the Institution for the Education of the Deaf and Dumb, belonging to the State of Indiana."

Read and referred to Committee on Public Buildings and Grounds . . . . .	404
Reported back unfavorably and adopted . . . . .	488

## No. 11. Introduced by ———.

"A concurrent resolution giving to C. H. O'Brien the privilege of selling cigars and tobacco in the State House."

Read and adopted . . . . .	1271
Returned from House . . . . .	1283
Reported by Committee on Enrolled Bills . . . . .	1287

## No. 12. Introduced by ———.

"A concurrent resolution granting the G. A. R. permission to erect and maintain a statue of Oliver P. Morton on the State House grounds."

Read and adopted . . . . .	1272
Returned from House . . . . .	1283
Reported by Committee on Enrolled Bills . . . . .	1287
Signed by the Governor . . . . .	1290

HOUSE CONCURRENT RESOLUTIONS IN  
SENATE.

No. 1. Introduced by MR. LINCK, January 12, 1897—

"A concurrent resolution relative to National Military Park at Vicksburg."	Page.
Read first time and referred to Committee on Federal Relations . . . . .	96, 97
Reported back favorably . . . . .	109
Report concurred in . . . . .	109
Adopted . . . . .	112

No. 3. Introduced by MR. WALLRATH, January 22, 1897—

"A concurrent resolution approving the action of Indiana Chickamauga Commission location of Indiana monument on Chickamauga Battlefield."	
Received from House . . . . .	268

No. 4. Introduced by MR. LITTLETON, January 14, 1897—

"A concurrent resolution instructing our Senators and requesting our Congressmen to use all honorable means for the passage of a bill (No. 3273) now pending in the Congress of the United States."	
Read first time . . . . .	144

No. 6. Introduced by MR. HARRIS, January 18, 1897—

"A concurrent resolution instructing our Senators and requesting our Representatives in Congress to vote for the passage of an amendment to the civil service law restoring all soldiers discharged without charges, and exempting them from civil service examinations to positions in the government service."	
Received and referred to Committee on Federal Relations . . . . .	185
Read and concurred in . . . . .	196

No. 7. Introduced by MR. HARRIS, January 18, 1897—

"A concurrent resolution relative to the appointment by the Governor of a committee to visit and inspect the Southern Hospital for Insane, situate near Evansville, the same to act with a like committee from the Senate."	
Received and referred to Committee on Finance . . . . .	187
Read and concurred in . . . . .	196
Read second time and referred to Committee on Finance . . . . .	196
Reported back . . . . .	274

No. 8. Introduced by MR. HENDERSON, January 22, 1897—

"A concurrent resolution relating to an amount of money supposed to be due the school fund of this State from the Terre Haute & Richmond Railroad (Vandalia)."	
Received from the House . . . . .	224
Read in the Senate . . . . .	225
Substitute adopted . . . . .	269, 270
Returned from House not concurred in . . . . .	291

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## No. 10. Introduced by MR. HUBBARD, January 19, 1897—

"A concurrent resolution relating to the bill now pending in the House of Representatives relating to a salary bill adopted by the National Association of Letter Carriers."		Page.
Received from the House . . . . .		224
Read and adopted . . . . .		234

## No. 11. Introduced by———, January 19, 1897—

"A concurrent resolution relating to the election of United States Senators from Indiana."		
Received from the House . . . . .		224
Read and adopted . . . . .		234

## No. 12. Introduced by———, January 25, 1897—

"A concurrent resolution relating to the appointment of a committee from the House and Senate, with the Speaker of the House as ex-officio chairman, to inquire as to what legislation is necessary in order to enable the State of Indiana to proceed against such railroad company."		
Received, read and adopted . . . . .		300, 301, 302

## No. 14. Introduced by MR. SPOONER, January 27, 1897—

"A concurrent resolution relating to the reclassification of railway postal clerks."		
Read and referred to Committee on Federal Relations . . . . .		348, 349, 555

## No. 15. Introduced by MR. NICHOLSON, February 3, 1897—

"A concurrent resolution relating to the cigarette habit."		
Received from the House . . . . .		453
Adopted . . . . .		456

## No. 18. Introduced by MR. PACKARD, February 20, 1897—

"A concurrent resolution relating to the utilization for manufacturing and lighting purposes of the water power at the falls of the Ohio River."		
Read first time . . . . .		823

## No. 19. Introduced by MR. WALLRATH, March 1, 1897—

"A concurrent resolution relating to the sale and circulation among the public schools of a certain book entitled "Story of Liberty."		
Read first time and referred to Committee on Education . . . . .		1118
Reported back . . . . .		1161
Passed . . . . .		1169

## No. 20. Introduced by MR. THOMAS, March 5, 1897—

"A concurrent resolution relating to a statute of Gen. Pleasant Hackleman to be erected in the State House yard, etc."		
Read first time and referred to Committee on Judiciary . . . . .		1200
Read and adopted . . . . .		1284

## No. 22. Introduced by MR. ROOTS, March 6, 1897—

"A concurrent resolution relating to State Printer Wm. B. Burford."		
Read and referred to Committee on Printing . . . . .		1227

## No. 23. Introduced by MR. PACKARD, March 6, 1897—

"A concurrent resolution relating to the printing of certain laws enacted by this Legislature, etc."		
Received and read first time . . . . .		1228
Concurred in . . . . .		1229

DOUGHBY, March 6, 1897—

g to the Vincennes University."	Page.
.....	1228
.....	1229
.....	1245

the House relating to printing copies of laws in	
.....	1272

relating to the appointment by the Governor of a	
relating to governing of municipal corporations."	
in .....	1283

enate, Session of 1895, Vetoed  
Governor Matthews.

.....	Page.
.....	1234, 1259

sion of 1895, Vetoed by the  
Re-introduced by the Secretary

.....	Page.
.....	382, 385, 968, 1002
.....	383, 385, 968, 971
.....	383, 387, 968, 1004
.....	383, 387, 968, 1002
.....	383, 384, 968
.....	383, 386, 968, 1002



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